

Sir, those who read in a large way the purpose of the All-wise Ruler see in the tragic events of the last four years a far-reaching Providence. Habana and Manila and Santiago and Buffalo tell of the mighty cost of human liberty; they chasten us; they show how narrow is the boundary set to our finite vision, and how we should address ourselves to the duties of the hour and courageously and hopefully await the demands of the future; they show that moral duties abide with nations as with men. If, sir, we shall nobly meet the demands of the hour, accomplish peace, and lead the Filipinos in the way of civilization and self-government, we shall have earned the approval of our own conscience and have won the admiration of the world.

Mr. PRITCHARD. I move that the Senate adjourn.

The motion was agreed to; and (at 9 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, February 24, 1902, at 11 o'clock a. m.

SENATE.

MONDAY, February 24, 1902.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will, without objection, stand approved.

BRIG LOUISA.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings by the court relating to the vessel brig *Louisa*, Benjamin Wheeler, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

ENROLLED BILL SIGNED.

The PRESIDENT pro tempore announced his signature to the enrolled bill (H. R. 3104) to grant the right of way through the Oklahoma Territory and the Indian Territory to the Enid and Anadarko Railway Company, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (H. R. 7018) for the relief of Robert J. Spottswood and the heirs of William C. McClellan, deceased; and

A bill (H. R. 9991) for the relief of F. E. Coyne.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 280) for the relief of James M. Stradling;

A bill (H. R. 610) to correct the military record of John F. Antlitz; and

A bill (H. R. 1381) for the relief of J. V. Davis.

The following bills were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (H. R. 720) for the relief of Lieut. Jerome E. Morse;

A bill (H. R. 1375) for the relief of Louis Weber;

A bill (H. R. 4748) authorizing the President of the United States to nominate Lieut. Commander R. M. G. Brown, now on the retired list, to be a commander on the retired list; and

A bill (H. R. 5224) for the relief of Edward Kershner.

The following bills were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 303) for the relief of Sol Bear & Co.;

A bill (H. R. 966) for the relief of Edward R. Stackable, collector of customs for the district of Hawaii;

A bill (H. R. 8209) for the relief of P. A. McClain; and

A bill (H. R. 9295) for the relief of T. B. Stackhouse, a deputy collector of internal revenue for the district of South Carolina during the fiscal year 1894 and 1895.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 621) for the relief of Daniel Cherry;

A bill (H. R. 949) for the relief of Charles H. Robinson;

A bill (H. R. 1748) for the relief of Julius E. Mugge;

A bill (H. R. 2641) for the relief of Albion M. Christie;

A bill (H. R. 3510) for the relief of the executors of James P. Willett, deceased, late postmaster of the District of Columbia;

A bill (H. R. 3830) for the relief of William C. Marr;

A bill (H. R. 5550) for the relief of W. C. Taylor;

A bill (H. R. 7035) for the relief of Charles Hurtle; and

A bill (H. R. 9280) for the relief of Hugh C. Preston.

The bill (H. R. 299) for the relief of William C. Dodge was read twice by its title, and referred to the Committee on Patents.

The bill (H. R. 11353) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the Board of Trade and Transportation of New York City, praying for the re-establishment of the pneumatic tube postal service in that city; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Central Federated Union, American Federation of Labor, of New York City, praying for the enactment of legislation providing that the maximum salary of letter carriers for the fourth year of service, and thereafter, shall be \$1,200 per annum in cities of the first class and \$1,000 in cities of the second class; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of F. X. Brandecker and sundry other citizens of New York City, remonstrating against the restriction of immigration; which was referred to the Committee on Immigration.

He also presented a petition of Command No. 22, Spanish War Veterans, of Niagara Falls, N. Y., praying for the enactment of legislation providing for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough; which was referred to the Committee on Military Affairs.

He also presented a petition of the Allied Printing Trades Council, American Federation of Labor, of Syracuse, N. Y., praying for the removal of the duty on paper and pulp; which was referred to the Committee on Finance.

He also presented a petition of the New York Odontological Society, of New York City, praying for the enactment of legislation providing for the appointment of a corps of dental surgeons in the United States Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the American Federation of Labor, of Rochester, N. Y., praying for the enactment of legislation providing for the construction of storage works to equalize the flow of streams for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a petition of Local Division No. 42, Order of Railroad Telegraphers, of Jamestown, N. Y., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a memorial of sundry citizens of New York City, remonstrating against the enactment of legislation to prohibit the desecration of the American flag, etc.; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Bangall Parish and Ballston Lake, in the State of New York, and of the National Live Stock Exchange, of Chicago, Ill., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a memorial of the Chapter of the American Institute of Architects of Buffalo and Brooklyn, in the State of New York, and a memorial of the National Sculpture Society, remonstrating against a change being made in the title of Architect of the United States Capitol; which was ordered to lie on the table.

He also presented a petition of the Board of Trade and Transportation of New York City, praying for the establishment of reciprocal trade relations with foreign nations and for the establishment of a reciprocity bureau in the department of commerce; which was referred to the Committee on Commerce.

He also presented a memorial of the Lake Seamen's Union, International Seamen's Union, of Buffalo, N. Y., remonstrating against the adoption of the proposed amendment to chapter 7 of the Revised Statutes, relative to the employment and treatment of the seamen of the merchant-marine service of the country; which was referred to the Committee on Commerce.

He also presented a memorial of the Lake Seamen's Union of Buffalo, N. Y., remonstrating against the proposed change in the name of the United States Marine-Hospital Service to that of the United States Health Service; which was referred to the Committee on Naval Affairs.

He also presented petitions of sundry post-office clerks of Oswego; Branch J, New York City; Branch G, New York City; Station C, Brooklyn; Station A, Brooklyn; Fredonia, Oswego, and Ithaca, all in the State of New York, praying for the enactment of legislation providing for the classification of the salaries

of clerks employed in post-offices of the first and second classes; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Painters, Decorators, and Paper Hangers' Union No. 367, of Seneca Falls; of the Glass Bottle Blowers' Association of Brooklyn; of Labor Protective Union No. 9259, of Fort Edward; of Great South Bay Oystermen's Union No. 8201, of Sayville; of the Trade and Labor Council of Peekskill; of Electric Lodge, No. 313, of New York; of Shirt Waist and Laundry Workers' Union No. 44, of Troy; of the Wood Carvers' Association of Brooklyn; of Liberty Lodge, No. 2, of Buffalo; of Cigar Makers' Local Union No. 210, of Rome; of International Association of Car Workers, Local Union No. 4, of Rochester; of Cigar Makers' Local Union No. 5, of Rochester; of International Association of Machinists, Union No. 421, of Elmira; of Iron, Steel, and Tin Workers' Union No. 1, of Lockport; of Laundry Workers' Union No. 9, of Troy; of Central Labor Union No. 10, of Binghamton; of the Central Trades and Labor Council of Olean; of Carpenters and Joiners' Local Union No. 9, of Buffalo; of the United Garment Workers' Local Union of Brooklyn; of Cigar Makers' Local Union No. 132, of Brooklyn; of United Garment Workers' Local Union No. 111, of Syracuse; of Hat Makers' Local Union No. 7, of Brooklyn; of Team Drivers' International Union No. 17, of Oswego; of Tile Layers' Local Union No. 5, of Buffalo; of Wood Carvers' Local Union of Jamestown; of Typographical Union No. 9, of Buffalo; of Leather Workers' Local Union No. 2, of Olean; of Delivery Wagon Drivers' Local Union No. 83, of Buffalo; of International Cigar Packers' Union No. 213, of New York City; of Hackmen's Protective League No. 332, of New York City; of Cigar Makers' Local Union No. 132, of Brooklyn; of International Car Workers' Local Union No. 24, of New York City; of Textile District Council No. 4, of Jamestown; of Cigar Makers' Local Union No. 84, of Saugerties; of Allied Metal Mechanics' Local Union No. 106, of Poughkeepsie; of the Lock City Central Labor Union, of Lockport; of Laundry Workers' Union No. 8, of Troy; of International Association of Machinists, Local Union No. 381, of Syracuse; of Boot and Shoe Workers' Local Union No. 160, of Brooklyn; of Indurated Fiber Workers' Local Union No. 7185, of Lockport; of Coopers' Local Union No. 48, of Niagara Falls, and of the American Wire Weavers' Protective Association of New York City, all of the American Federation of Labor, in the State of New York, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of sundry citizens of Auburn, Deerfield, Utica, Olean, Lima, Buffalo, New York City, Brooklyn, and Oneida, all in the State of New York, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Eldredge Post, No. 199, of Whitney Point; of Col. Elmer E. Ellsworth Post, No. 619, of Mechanicsville; of Carroll Post, No. 279, of Port Jervis; of J. M. Brown Post, No. 285, of Jamestown; of Ballard Post, No. 551, of Oneida County; of M. Richards Post, No. 367, of Mexico; of Knowlton Post, No. 160, of Cazenovia; of D. F. Schenck Post, No. 271, of Fulton; of Fuller Post, No. 246, of Little Valley, and of Lennon Post, No. 490, of Bloomingdale, all of the Department of New York, Grand Army of the Republic; of Coopers' Local Union No. 48, of Niagara Falls; of Journeymen Barbers' Local Union No. 141, of Buffalo; of Plumbers' Local Union No. 253, of Gloversville; of Musicians' Local Union No. 134, of Jamestown; of International Association of Machinists' Local Union No. 201, of Hornellsville; of Broom Makers' Local Union No. 14, of Amsterdam; of Carpenters and Joiners' Local Union No. 6, of Amsterdam; of Iron Molders' Local Union No. 230, of Lockport; of Steel Cabinet Workers' Local Union No. 7294, of Jamestown; of International Association of Machinists' Local Union No. 467, of Pearl River; of Typographical Union No. 305, of Newburg; of Carpenters' Local Union No. 289, of Lockport; of Laborers' Protective Union No. 8962, of Glens Falls; of Carpenters and Joiners' Local Union No. 546, of Olean, and of Hat Finishers' Association No. 23, of Yonkers, all of the American Federation of Labor, in the State of New York, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Board of Merchants of Matanzas, Cuba, praying for the enactment of legislation granting concessions and relief for Cuba with reference to sugar; which was referred to the Committee on Relations with Cuba.

He also presented a memorial of the board of supervisors of Mohave County, Ariz., remonstrating against the enactment of legislation exempting the Santa Fe Pacific Railway Company from taxation; which was referred to the Committee on Railroads.

He also presented a memorial of the Citizens' Association of East Washington, D. C., remonstrating against the further appro-

priation of money for continuing the erection of a workhouse on the present site in Washington, D. C.; which was referred to the Committee on the District of Columbia.

Mr. PROCTOR presented a petition of the Business Men's Association of Island Pond, Vt., praying for the enactment of legislation reducing the duty on tobacco and sugar imported from Cuba; which was referred to the Committee on Finance.

He also presented petitions of the Granite Cutters' Local Union of Waterbury, and of United Garment Workers' Local Union No. 32, of Brattleboro, in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. DILLINGHAM presented a memorial of the congregation of the Reformed Presbyterian Church, of West Barnet, Vt., remonstrating against the reenactment of the Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented petitions of 42 members of Riverside Council, No. 6, Daughters of Liberty, of North Danville; of United Garment Workers' Local Union No. 32, of Brattleboro, and of the Barre Branch, Granite Cutters' National Union, of Barre, all in the State of Vermont, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. GIBSON presented the petition of J. W. Ward and 182 other citizens of Missoula and Ravalli counties, in the State of Montana, praying for the enactment of legislation providing for the reclamation of the arid lands in those counties; which was ordered to lie on the table.

He also presented a petition of Local Union No. 29, International Association of Machinists, American Federation of Labor, of Anaconda, Mont., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented petitions of Local Union No. 29, International Association of Machinists, American Federation of Labor, of Anaconda, and of Federal Labor Union, No. 175, Western Labor Union, of Kalispell, in the State of Montana, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented the memorial of Pat. Lavelle and 180 members of the Carbon County Stock Protective Association, in the State of Montana, remonstrating against the leasing of public lands; which was referred to the Committee on Public Lands.

Mr. DRYDEN presented petitions of Councils Nos. 130, 26, 202, 89, 109, 22, 156, 188, 64, 113, 49, 90, 233, 36, 20, 174, 164, 247, 102, 139, 256, 21, 192, 57, 183, 193, 186, 268, 288, 108, 207, 41, 166, 237, 28, 4, 150, 250, 241, 254, 84, and 231, of Newark, Williamstown, Barnegat, Trenton, Cedarville, Clayton, Orange, Bockton, Cassville, Stanhope, Tabernacle, Trenton, Newark, Pennsgrove, Hackettstown, Pompton Lakes, Branch, Crosswicks, Monmouth Junction, Plainfield, Paulsboro, Mullica Hill, Hurffville, Ridgefield Park, Livingston, Oceanport, Vailsburg, Windsor, Deckertown, Plainfield, Bernardsville, Seabright, Phillipsburg, Raritan, German Valley, South Orange, Caldwell, Leesburg, and Pleasantville, all of the Junior Order of United American Mechanics, in the State of New Jersey, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. HALE presented a petition of sundry citizens of Berwick, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Daniel White Post, No. 19, Grand Army of the Republic, Department of Maine, of Kenduskeag, Me., and a petition of the Atlantic Coast Seamen's Union, American Federation of Labor, of Portland, Me., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

He also presented a petition of Local Branch, Garment Cutters' National Union, of North Jay, Me., and a petition of Local Branch, Garment Cutters' National Union, of Waldoboro, Me., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

He also presented petitions of Local Grange No. 159, Patrons of Husbandry, of Easton; of the Maine State Grange, Patrons of Husbandry, and of sundry citizens of Windsor, all in the State of Maine, praying for the passage of the so-called Groat bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. WETMORE presented petitions of Journeymen Plumbers' Local Union No. 28 and of Journeymen Barbers' Local Union No. 224, of the American Federation of Labor, in the city of Providence, R. I., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Journeymen Plumbers' Local Union No. 28 and of Journeymen Barbers' Local Union No. 224, of the American Federation of Labor, in the city of Providence, R. I., praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. LODGE presented petitions of the American Ornithologists' Union and of the Fish and Game Protective Association, of Groveland, Mass., praying that an appropriation be made for the erection of a monument in the city of Washington to the memory of the late Prof. Spencer F. Baird; which were referred to the Committee on the Library.

He also presented the petitions of E. E. Phelps and 45 other citizens of Adams; of George H. Taylor, jr.; and 45 other citizens of Shelburne Falls, and of A. C. Stoddard and 45 other citizens of North Brookfield, all in the State of Massachusetts, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. McMILLAN presented a petition of Detroit Harbor, No. 47, American Association of Masters and Pilots of Steam Vessels, of Detroit, Mich., praying that relief be granted James Caniffe for injuries received while lowering a gas buoy from the deck of the United States light-house tender *Hayes*, etc.; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Reading, Mich., praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the State Association of Farmers' Clubs of Michigan, praying for the enactment of legislation to suppress anarchy; which was referred to the Committee on the Judiciary.

He also presented petitions of Colonel E. H. Liscum Post, No. 343, of Sault Ste. Marie; of Phil Sheridan Post, No. 4, of Reading; of De Golyer Post, No. 110, of Hudson; of Caldwell Post, No. 363, of Lake City; of Burlingame Post, No. 402, of Akron, all of the Department of Michigan, Grand Army of the Republic; of Journeymen Tailors' Local Union No. 302, of Houghton; of Coopers' International Union No. 67, of Grand Rapids; of Local Union No. 90, International Association of Allied Metal Mechanics, of Bay City, and of Carpenters' Local Union No. 609, of Onaway, all of the American Federation of Labor, in the State of Michigan, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of the Trades Council and Tobacco Workers' Local Union No. 13, of Detroit; of Coopers' Local Union No. 143, of Albion; of the Trades and Labor Council and Coopers' Local Union No. 67, of Grand Rapids; of Carpenters and Joiners' Local Union No. 643 and Broom Makers' Local Union No. 49, of Flint, and of Journeymen Tailors' Local Union No. 302, of Houghton, all in the State of Michigan, praying for the reenactment of the Chinese-exclusion law; which were referred to the Committee on Immigration.

Mr. FRYE presented petitions of William Reed Post, No. 164, of Sanford, and of E. G. Parker Post, No. 99, of Kittery, of the Department of Maine, Grand Army of the Republic, in the State of Maine, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

IMITATION DAIRY PRODUCTS.

Mr. PROCTOR. I am directed by the Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, to report it with amendments, and to submit a report thereon. The minority of the committee will later submit their views.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

REPORT OF INDUSTRIAL COMMISSION.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution submitted by the Senator from California [Mr. BARD] on the 19th instant, to report it with amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read, as follows:

Resolved, That 5,000 copies of the report of the Industrial Commission on irrigation, which is incorporated in the final report of the Industrial Commission, Volume XIX, pages 1071 to 1084, inclusive, be printed, and that 2,500 copies thereof be printed and bound in paper covers for the use of the Geological Survey.

The amendments of the Committee on Printing were, in line 1, to strike out "five" and insert "six;" and after the word "printed," in line 5, to strike out the remainder of the resolution and insert:

And bound in paper covers, 1,000 copies for the use of the Senate, 2,500 copies for the use of the House of Representatives, and 2,500 copies for the use of the Geological Survey.

So as to make the resolution read:

Resolved, That 6,000 copies of the report of the Industrial Commission on irrigation, which is incorporated in the final report of the Industrial Commission, volume 19, pages 1071 to 1084, inclusive, be printed and bound in paper covers; 1,000 copies for the use of the Senate, 2,500 copies for the use of the House of Representatives, and 2,500 copies for the use of the Geological Survey.

The amendments were agreed to.

The resolution as amended was agreed to.

INDEX OF PUBLIC DOCUMENTS.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. CULLOM on the 19th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed the number of copies hereafter stated of Tables of an Annotated Index to the Congressional Series of United States Public Documents, prepared under the supervision of the Superintendent of Documents, 5,000 copies, 1,000 copies for the use of the Senate, 3,000 for the House of Representatives, and 1,000 for the Superintendent of Documents.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced a bill (S. 4106) granting an increase of pension to David Jones; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4107) granting an increase of pension to Richard A. Wood; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 4108) for the relief of Decatur Hamlin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE (by request) introduced a bill (S. 4109) to promote agriculture; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 4110) to pay to Samuel M. Blair the sum of \$12,470; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 4111) granting an increase of pension to Abner J. Pettee; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4112) to provide for an increase in the Medical Corps of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4113) authorizing the construction of a building for the accommodation of the Supreme Court of the United States, the United States courts in the District of Columbia, the Department of Justice, and commissions exercising judicial functions in the District of Columbia created by acts of Congress; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PLATT of New York introduced a bill (S. 4114) to authorize the Secretary of the Treasury to grant, by deed, a permanent and perpetual underground right, easement, and right of way to the city of New York for the construction, operation, and maintenance of a rapid-transit railroad; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 4115) granting a pension to Judson E. Walker; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4116) for the relief of estate of Nicholas White, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 4117) to prevent vicious and evilly disposed persons from resorting to the District of Columbia for the purpose of committing crime; and

A bill (S. 4118) to abolish estates of curtesy and dower in the District of Columbia, to provide for the custody of the persons of children under 14 years of age, to regulate the descent and distribution of the estates of intestates, and for other purposes.

Mr. McMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4119) granting an increase of pension to William R. Armstrong;

A bill (S. 4120) granting a pension to Jane Hale (with an accompanying paper); and

A bill (S. 4121) granting a pension to Elizabeth Jacobs (with accompanying papers).

Mr. BERRY (for Mr. JONES of Arkansas) introduced a bill (S. 4122) for the relief of the heirs of George M. Campbell; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. STEWART submitted an amendment authorizing the Secretary of the Treasury to state an account with Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mail over postal routes Nos. 30003 and 149003 during the period between July 1, 1878, and February 21, 1892, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. MITCHELL submitted amendments proposing to increase the appropriation for support and education of pupils at the Indian school, Salem, Oreg., from \$91,830 to \$100,000, and also to appropriate \$30,000 for the construction of a new brick dormitory, intended to be proposed by him to the Indian appropriation bill; which were referred to the Committee on Indian Affairs, and ordered to be printed.

SENATORIAL INVESTIGATION.

Mr. PRITCHARD. Mr. President, it is my purpose to introduce a resolution, and before doing so I desire to have the Secretary read a letter from the junior Senator from South Carolina, which is self-explanatory.

The PRESIDENT pro tempore. If there be no objection, the letter will be read.

The Secretary read as follows:

UNITED STATES SENATE,
Washington, D. C., February 24, 1902.

Hon. J. C. PRITCHARD,

United States Senator, Washington, D. C.

My DEAR SENATOR: I was prevented, as you know, from offering the resolution which I wrote at my desk on Saturday, demanding an investigation of the charges made by my colleague, by being adjudged in contempt of the Senate. I am now debarred the privilege, and request you to introduce the resolution, for the reason that if the charges are true I am unfit to remain a member of the Senate, and if they are untrue the man who made them is unfit to remain a member of this honorable body. In any event, I feel that I am entitled to a vindication by the same body that makes investigation in the proceedings for contempt. I herewith inclose the resolution.

Yours, very truly,

JOHN LOWNDES McLAURIN.

Mr. PRITCHARD. I offer the following resolution, and ask for its present consideration.

The resolution was read, as follows:

Whereas the senior Senator from the State of South Carolina charged in a speech on the floor of the Senate that the junior Senator from the same State had been improperly influenced in casting his vote for the ratification of the treaty of peace between the United States and Spain; and

Whereas the said charge was emphatically denied by the junior Senator: Resolved, That the Committee on Privileges and Elections be directed to investigate and report as to the truth of the said charges, with full power to send for persons and papers.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. Does the Senator rise to this resolution?

Mr. HALE. I rose to object, so that it will go over, unless it can be referred to the Committee on Privileges and Elections. I do not think the Senate should instruct the committee.

The PRESIDENT pro tempore. The Senator from Maine objects, and the resolution will go over under the rule.

Mr. HALE. I give notice that I shall move that it be referred to the Committee on Privileges and Elections.

Mr. HOAR. Let the Senator make the motion now.

Mr. HALE. Very well; I make that motion.

The PRESIDENT pro tempore. The Senator from Maine moves that the resolution be referred to the Committee on Privileges and Elections.

The motion was agreed to.

EMPLOYMENT OF STENOGRAPHER.

Mr. PROCTOR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry be, and is hereby, authorized to employ a stenographer to report hearings on bills coming before said committee, the expense thereof to be paid from the contingent fund of the Senate, and that the committee be authorized to have said hearings printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 219) for the relief of Mary Chambers, widow of Thomas Chambers; and

A bill (S. 1573) to authorize Commander James M. Miller, United States Navy; Surg. Oliver D. Norton, United States Navy,

and Mr. Edwin V. Morgan, formerly secretary of the Samoan Commission and now secretary of the legation of the United States at Seoul, Korea, to accept presents tendered to them by His Majesty the Emperor of Germany.

PHILIPPINE TARIFF BILL.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5833) temporarily to provide revenue for the Philippine Islands, and for other purposes.

Mr. HOAR. Mr. President, I expect to vote for this bill unless it shall be pointed out in the debate that there is something in it other than what I have found there. It seems to be merely a provision by the power at present in control in the Philippine Islands for the regulation of imports into those islands, which, of course, some power must do, and for the regulation of imports from those islands into this country, which, of course, the legislative power in this country must do. I do not, therefore, find in the bill any violation of those principles of liberty and free government in regard to which my own opinion is unchanged.

But I can not vote for the amendment proposed by the minority, because that amendment in terms, if I understand it, gives the express sanction of law to some rules and regulations and enactments now in force in the Philippine Islands which to my mind seem utterly vicious and unjust. So I shall vote for the bill as at present advised, and vote against the amendment.

I did not mean to speak further on this question until the pending investigation had been concluded or had so far progressed as to bring out the case on both sides. There will be a bill for declaring a more permanent policy, by and by, to which such a discussion will be pertinent and on which that investigation will throw much light. So I should not have said a word but for the speech of my friend from Wisconsin [Mr. SPOONER], who I thought was in his seat when I rose to address the Senate. I would have preferred to have said what I had to say in his presence, and should not have risen at this time if he had not then been here. I think I ought to say a word or two about that.

Mr. SPOONER entered the Chamber.

Mr. HOAR. I will repeat what I just said, that I should not have said anything now, except to announce my purpose to vote for the bill and against the amendment, but for what has been said by my honorable friend from Wisconsin. The Senator chose his time for his earnest and protracted remarks very skillfully. It was at a time when the evidence of a gentleman entitled to great respect, and whose opinions are entitled to great weight, thoroughly committed to the policies which have been pursued in the Philippine Islands, had made his powerful statement; when the evidence on the other side had not been heard at all, and when the cross-examination of Mr. Commissioner Taft himself was incomplete.

That evidence, as far as it has gone, is not yet in print, or if it be in print this morning, it has not come to us in time for any purpose useful to this debate. We only get what the gentlemen who heard it tell us about it or what has been filtered through the press, which is generally favorable to that side.

And yet, Mr. President, there are two or three facts which stand out already which ought to be noticed now. One is that that gentleman has declared in substance—and, if he be correctly reported, in words—exactly what the chairman of the other great Commission sent there to represent the Government declared lately with so much emphasis, that it would have been better for our country if we had never gone there. What becomes of the traitorous men, who, thinking they were acting and had a right to act for the interest of the United States, at least as American legislators and American citizens, dared to oppose this policy when its great defender admits that all American considerations make it appear that we never should have gone there, and it has been to no advantage to the country?

We have spent hundreds of millions of treasure; we have sacrificed thousands of American lives; we have slain 100,000 Filipinos; we have given away all the old ideals of the country in the past. The human intellect for us, so far as righteousness and liberty are concerned, has changed masters, and yet it has been no advantage to this country, according to Mr. Taft, that we went there.

Now then, what is the advantage to the Filipinos? You have got a condition of things there, according to the same authority, where no party in the island wants your rule. The only party that submits to it is a party that submits to it on a condition which you all say you will never grant, and that is that they are to come into the Union as an American State. You have substituted hate for love; you have substituted despair for hope; you have substituted despotism for a republic. You have been no advantage to us, according to Mr. Taft himself, and you have not as yet got a single Filipino, as far we know, who is reconciled to your rule

as a colony or as a province, but only in the fallacious hope, which no man will stand on this floor and encourage, that they will come in as an American State.

But look a little more, as far as it has gone now, at the advantage to the Filipino of this thing which is of no advantage to us.

Mr. Taft gives an account of schools established, of children eager to learn, and of American teachers at work. All those are good things. But, Mr. President, Admiral Dewey sent through those islands just after we landed our army there two officers who, he says, have given the best account of things there, who give an account of orderly government, of an eager desire to learn on the part of those people quite as good as this. One of our consuls describes his landing in the Philippine Islands, and says that the people thronged to him, as an American, with expressions of love and gratitude, eager almost to kiss the hem of his garment.

What have you got? What have you got in Mr. Taft's report of an eager desire to learn on the part of those people, or a readiness to learn, which is a better story than what you had then? You have slain a hundred thousand of them. You have had your reconcentrado districts; you have had a little water torture, not much; and those islands are not so well off, except in the single fact that the schools they were then all ready to establish have been established, every one of them at the cost of the Filipino, not yours. That is all.

No, that is not all. You have, so far, slain more parents than you have children in school.

Now, Mr. President, what have you got for them and for you? Coming to the essence of the thing, you have no advantage for us and no substantial advantage for them. And what you have got you have got at the cost of thousands of American young lives, of hundreds of millions of treasure, of the sacrifice of every ideal of the Republic.

My friend says he loves the Declaration of Independence. He can not state a doctrine of the Declaration of Independence that he will get up in the Senate and stand by—not the right of a people to establish their own government; not the doctrine that all men are created equal; not the doctrine that governments rest on the consent of the governed. These three things constitute the whole of the Declaration of Independence. There is not one of those that my friend will now say he loves, although he thinks he loves the Declaration of Independence. But you have got for an example to mankind a government where there is no consent of the governed, a state where men are not created equal, a flag the symbol of absolute government, not of liberty; a flag which the water torture follows a little, but the Constitution does not follow at all; treason without an overt act and without a trial by jury; taxation without representation; election without free speech; printing without a free press, and schools where they can not teach liberty.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. FORAKER. Mr. President, I regret exceedingly that I was unable to get the floor until we passed under the fifteen-minute rule. I have this regret because a great many things have been said in the course of this debate to which I desire to make answer, or at least attempt to make answer. I shall hope that there will be an opportunity yet given to make the answer which I desire to make and to which I refer in that remark.

If such opportunity is presented, I think I shall be able to show, Mr. President, that the United States did not act unwisely in acquiring the Philippine Islands; that we not only acted wisely, but that we could not, under the circumstances, have acted otherwise than as we did act. I shall undertake to show, and I think I shall be able to do so, that from the hour we took possession of the Philippines until this time our work has been an uninterrupted success, instead of a miserable and dismal failure, such as it has been represented to be on the floor of this Chamber during the last two or three weeks. And I trust I shall be able to show, without any difficulty whatever, to the satisfaction of every unbiased and unprejudiced mind, that the American Army in the Philippines, officers and men alike, have been guilty of no unnecessary cruelty, no unnecessary harshness, certainly no barbarity such as has been depicted here; that, on the contrary, they have been the same gallant and heroic men the American Army, officers and men alike, have ever been wheresoever they have carried our flag to battle and to victory.

I shall undertake to show also, Mr. President, when I have opportunity to speak at length, that the civil commission, the Taft Commission, as it is called, has acted only wisely and judiciously, patriotically and efficiently, in all that it has done in the Philippine Islands. I shall undertake to show it has enacted no statutes that have not been called for and justified by the necessities of that situation, and that to-day, as the result of what has been done in the Philippine Islands since we took possession, we are in peaceful control of four-fifths of that archipelago, and soon, if we continue the policy we have been pursuing, we shall be in peaceable control of the whole of the archipelago.

But, Mr. President, as to all these subjects I must, as I have indicated, pass them by until I have opportunity to speak at length. Having only a few minutes at my disposal, I want to confine myself to a discussion of this bill upon its merit. The debate has been so extended and so exciting in some respects that I think I may safely say that pretty nearly everything suggested by a mention of the Philippines has received more consideration than the measure under consideration.

It is a bill to raise revenue, not for the benefit of the United States Government, but for the Philippine Islands, to sustain the civil government that we are establishing there. The bill approves and puts into continued force and operation the tariff schedules adopted for importations into the Philippine Islands by the Taft Commission, and it provides that upon all imports into the United States there shall be levied and collected 75 per cent of the full Dingley rates of tariff duties on all dutiable articles.

I have given notice that at the proper time I shall offer an amendment to strike out 75 per cent on importations from the Philippine Islands and insert 25 per cent. I want to indicate in the little time allowed me why I shall move that amendment.

In the first place, Mr. President, I shall make that proposition because the Philippine Islands are our own, and being our possessions they ought to be treated as nearly as circumstances will allow as we have treated other possessions belonging to the United States. All know how we have treated Porto Rico and Hawaii. Porto Rico and the Philippines came to us by the same title, by the same deed of cession. They sustain toward us in a legal sense precisely the same relation. We have given Porto Rico free trade, for a short time levying a small duty on certain articles of commerce between the two countries because there was a necessity for it to support the Porto Rican government. Now they have free trade with us, however, on everything.

I think we ought to approach as nearly as possible to free trade with us in levying tariff duties for the benefit of the Philippine Islands. I mean free trade between the United States and the Philippine Islands. I have looked into this matter somewhat and I have found, what I think every other man will find who examines the question, that there is no necessity for levying any duties upon importations from the Philippine Islands into the United States, except only to raise revenue for the Philippine Islands. There is no danger, in my judgment, to any protected industry of country, certainly not to tobacco or sugar or anything else that has received tariff protection under the Dingley statute.

Mr. President, I have not time to develop and elaborate it, but it is my opinion that there will be more revenue raised by collecting only one-fourth the Dingley rates than there will be if we undertake to collect three-fourths of the Dingley rates; for the simple reason that 75 per cent of the Dingley rates will prove practically prohibitory.

But aside from that there is another reason of greater force why I hope we will cut the duty down to 25 per cent, and that is the effect it will have upon the Filipinos themselves. We have heard a great deal in this Chamber during the last two or three weeks about the unsatisfactory feeling and disposition of that people toward the United States. I do not know to what extent all this is true. I think much that has been said has been an exaggeration, but it is undoubtedly true to some extent. To whatever extent it may be true, there is nothing we can do to help our authorities and representatives in the Philippine Islands so much in their effort to restore law and order and establish government as to create a feeling of kindness and friendship on the part of that people toward us; and the best way to do that is to show that we have a feeling of kindness and friendship toward them; that they are possessions of the United States, and that we propose to treat them as possessions of the United States.

Now, Mr. President, why is that? There is something more than sentiment about it. The sentiment itself might be sufficient, but there is more than sentiment about it. If we would have those people live satisfactorily under the government that we will establish, accepting it and abiding by it, we must make them satisfied with it. I do not care how good a government you establish, and I do not care how good a set of men you put there to discharge the duties of that government and operate the governmental machinery, there will be trouble unless the people themselves are satisfied with their domestic condition, and no people will be satisfied who do not have prosperity, and no people can have prosperity who do not have markets.

Therefore what we want to do is to legislate as most efficiently to help the Filipinos, not only to have peace, law, and order, and protection for property, and liberty and life, but also to have an opportunity to develop their country. To accomplish this they must have an opportunity not only to reap, but also an opportunity to sell, and therefore I think we should let them into our markets upon the best possible terms we can afford to accord to them. Their prosperity is our prosperity.

Now, there is a reason why we should make the tariff at this end of the line as low as possible. We have been demanding the

open-door policy in the Far East. We have been demanding it as to China and Japan and all other countries. We want an opportunity to trade on equal terms with the six or eight hundred millions of people in the Orient. But we can not demand the open door as we have been demanding it and refuse it consistently as to the Philippines. But if we are to grant the open door as to the Philippines, then that means that every other country with its importations into the Philippines will go in there on precisely the same terms we go in upon. If we go in without tariff, every other country will go in free of duty. If we levy only half rates, we can collect only half rates from other countries.

The result is that if we would supply the civil government of the Philippine Archipelago with a sufficient revenue to support it we must, as the Taft Commission has already provided, levy and collect important tariff duties on importations there, and we must collect the same from ourselves that we collect from all other countries of the earth. In other words, we can not show favor beyond certain limitations to the Filipinos at that end of the line. The favor must be shown here; and if we show it here, we have no way to show it except only by reducing, as much as we can afford, the rates of duty which we impose and collect on their importations into this country.

For reasons of this character, which under the circumstances I have no time to elaborate or dwell upon or enforce by argument, I have offered this amendment. I have offered it from a sense of duty. I speak in support of it from the same prompting, and I sincerely hope that it may be adopted by the Senate. The bill I am most heartily in favor of in every other respect.

Now, Mr. President, if I have a moment left let me employ it to say that if there is anybody in the Senate of the United States or in the country who is estopped to complain of our policy in the Philippines or to criticize what has been done there it is the man who favored the annexation of the Philippine Islands, the man who favored the ratification of the treaty of peace with Spain under which we took the cession of title to the Philippines, and particularly, Mr. President, the man who favored the acquisition of the Philippines by the ratification of that treaty after the insurgents and our troops had come into hostile conflict on the 4th day of February, 1899. The treaty was ratified on February 6.

Senators have spoken here—I refer particularly to the Senator from Colorado [Mr. PATTERSON]—in criticism. He, I am sure, will admit that during all that period he advocated the ratification of that treaty; he advocated it after this conflict to which I have referred; he advocated it also, Mr. President, when he knew what the policy of the United States Government would be in the Philippine Islands, for he advocated it after the order issued by the President—which has been referred to here—to criticize it, dated the 21st day of December, 1898, in which the President outlined what our policy would be, and pointed out that it would be precisely what it has been; for President McKinley in that order announced that it would be our effort to enforce law and order, establish government, maintain, uphold, and enforce the American authority, using whatever of force and power might be necessary to that end. We have done nothing more than that.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. TURNER. Mr. President, I shall confine myself this morning to a few thoughts suggested by the speech of the Senator from Wisconsin [Mr. SPOONER] last Friday. That was a most eloquent speech, but I was surprised as it proceeded to see that the Senator had worked himself up into what appeared to me to be a fine frenzy, causing him to lose his usual fine sense of the relation of things and to take an exaggerated and almost grotesque view of his own position and of that of his political opponents. One listening to him would imagine that everybody on this side was engaged in a desperate attempt to blacken the fame of our Army, impeach the veracity of our officers, assail the honor of the nation and its flag, and to decry the virtue and the sanity of the American people.

I assure that Senator that neither he nor his side have a monopoly of admiration for the truth, the honor, the courage, and the humanity of the American soldier. The Senator is not singular or alone in love and reverence for the flag of the nation. There are others besides him and his side who have confidence in the sanity, the virtue, the integrity, and the magnanimity of the American people. If they have not felt called on to sing a continual and never-ending pan in eulogy of the first and of the second, and have not felt called on to continually throw themselves incontinently at the heads of the third in paroxysms of delirious protestation, it has not been because they have not had as high a regard for them as has the Senator from Wisconsin; it has been because they did not care for the applause of the unthinking, and were careless of the meretricious aids to that end which the Senator from Wisconsin has not disdained to employ.

There is another thing which I wish to state to the Senator from Wisconsin—and I am sorry he is not in his seat—because it appears to be necessary, and that is that the Republican party is not the nation, and that it has long since ceased to stand, if it ever

did stand, for those things which the flag of the nation symbolizes. It may be measured, therefore, like every other human instrumentality, and one may criticize its sins of omission and commission without subjecting himself to prosecution for treason or misprision of treason—unless he happens to be in the Philippine Islands.

I hope that the Senator in the course of time will come to recognize this fact and thereby be enabled to take a more just view of the position maintained by his political opponents. When he does so, he will not see insult, innuendo, and assault on the honor of the nation and the flag in every criticism, even in the most severe criticism, upon the Republican party and its leadership.

The Senator from Wisconsin is fond of discussing the question whether our officers promised the Filipinos independence as a return for their aid in the war with Spain, and he never fails, as he did not fail in this instance, to drive home to the public mind with great force the mean and contemptible attitude of those Americans who he assumes are willing to believe the testimony of the leaders of the Filipino insurrection upon this subject rather than that of American officers and American representatives. For one I have never undertaken to make, and have never made, an issue of veracity between American officers and American representatives on the one side and the leaders of the Philippine insurrection on the other concerning the promise of independence made to the Filipinos in return for their aid in the war with Spain, nor has anybody on this side done so in this debate.

That is an issue which the Senator from Wisconsin is fond of raising and discussing. I have, however, asserted on the testimony of American officers and American representatives alone that we sought the aid of the Filipinos in the war with Spain, knowing that in giving that aid they knew nothing of us and cared nothing for us, and that the only reason they could be expected to have for giving us their aid was that they hoped thereby to secure their own independence, and that no representative of this Government, from beginning to end, during all of their connection with us in that war, gave them to understand that after they had helped us to end the war we proposed to deny them their independence.

This assertion is so well supported that the Senator from Wisconsin, in his wildest bursts of eloquence, has not undertaken to deny it or to controvert it. I have asserted as a corollary of that proposition that to conclude a peace with Spain without giving our Filipino allies any voice therein, even the voice of remonstrance, and to take their country as a part of the spoil of war, and not only to deny them their independence, but to propose to hold them as vassals and subjects and not as citizens, was an act of perfidy and bad faith which had dishonored the nation.

The Senator from Wisconsin, of course, denies that proposition, but if the premise be correct—and neither he nor anybody else in this Chamber or anywhere else in this country, so far as I am informed, has ever undertaken to deny it—if the premise be correct, then I am willing to leave the validity of the conclusion which I have drawn to the intelligent and magnanimous judgment of the American people, and I have no more fear of that judgment than has the Senator from Wisconsin. I only beg that he will not befog that issue. The nation has been dishonored, but it has not dishonored itself. It can not do so until, with full knowledge of all the facts, it shall ratify and confirm the perfidy practiced by its agents in its name. It never has yet done so, and I have so much more confidence in the sanity and the virtue and the good judgment and the honor of the American people than has the Senator from Wisconsin that I do not believe it ever will do so.

The Senator from Wisconsin in his speech made an involuntary confession of the weakness of his cause by undertaking to bolster it up with the aid of a great name now passed into history, and in doing so he reiterated the charge, which he has made on a number of occasions, that President McKinley had been grossly and outrageously assailed on more than one occasion in this Chamber. I have no doubt that I was intended to be included in that charge. I confess to having freely criticised President McKinley's course during his lifetime. If that criticism ever passed just bounds and degenerated into an assault, I regret it now more than I have words to express. *De mortuis nil nisi bonum*. I make no war upon the dead. Neither do I use their bodies as a bulwark. And if in dealing with the living I have sometimes been censorious and fault-finding I beg that there may be set off against that fault the undoubted virtue which I believe I do possess and which others might well emulate, that I never fawn on any man, no matter how high, nor by sycophantic adulation seek to win his favor.

I say it is unjust to the dead and cowardly to the living to project the name of President McKinley into this discussion. Even if he were living—and no man regrets his tragic and untimely death more than I do—he would be entitled to the same immunity from responsibility for administrative acts as every other ruler of every other nation on earth. Rulers are not omniscient and all seeing; they are human and act upon advice, and, therefore, we attribute, and justly attribute, the faults and shortcomings of an administration, if there be any, to the advisers

who have caused the President to pursue the course which we criticize. They are responsible for that which has happened in the Philippines who pressed upon the President the course that has there been pursued, and who have since dinned into the ears of the American people, until they have almost been stunned and staggered, the false and blasphemous pretense that this nation was in those islands as the result of a trust devolved on us by Almighty God! They who have done that thing are the leaders of the Republican party, and they can not escape responsibility by calling on the name of any man or any men besides themselves either living or dead.

Why they have done it some of those leaders have not hesitated to confess. They have done it for the same reason that Cortez pursued a similar, but a more honorable and less perfidious course, in Mexico, for the same reason that Pizarro planted the standard of Spain in Peru. We know why Cortez and Pizarro did that. It was for love of gold and lust of dominion.

Men may babble about God, and prate about His mysterious ways in the effort to ease their own consciences and to lull the conscience of the nation; but this same God to whom they appeal has already written His verdict. No sham, no false pretense, no legerdemain of cheap rhetoric can reverse or avert it. When the awful day comes that that verdict shall be transmuted into judgment, woe be it unto the men who have had a hand in the chapter of avarice and greed written in the tears and the blood of the people of those far-off islands in the Pacific seas, as well as in the blood of our own young American manhood.

When I shall have retired from service in this body, Mr. President, the most pleasant and most honorable recollection of my service here that I shall carry with me will be the recollection that I have had no lot or part, from beginning to end, in this Philippine folly, either in pushing our country out upon its evil course or in preventing it, now that that evil has become apparent of all men, from rehabilitating itself in the eyes of God and man by retracting that evil course. I will have no lot or part in it now. I will not touch, taste, or handle the unclean thing. For that reason I decline to be drawn into the trap presented by the Senator from Ohio [Mr. FORAKER] in the amendment offered by him to reduce these duties to 25 per cent. We have no right, under our own institutions, we have no right, consistently with the principles of eternal justice, to make those people pay one solitary single red cent, and I will cast no vote which now or hereafter may indicate that I have ever held a contrary opinion.

Mr. McCOMAS. Mr. President, I had desired to discuss this bill, and incidentally the substitute, on Saturday last, but I will postpone that discussion on my part until later. The agreement made as to this debate, however, leaves me but fifteen minutes in which to make a statement, which I think it is my duty to make, and while my colleague [Mr. WELLINGTON] is present I take the only opportunity which remains to make it.

My colleague has thrice stated that President McKinley gave him assurances which induced him to vote for the treaty of Paris, which assurances were not fulfilled. My colleague's statements vary somewhat from each other. I was present at the conversation my colleague had with the President concerning the treaty.

When my colleague deserted the Republican party—

Mr. WELLINGTON. Mr. President—

Mr. McCOMAS. Which elected him, and went over to the Democracy; he made a speech at Cumberland, where Mr. Bryan took the Senator into the fold.

Mr. WELLINGTON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Maryland yield to his colleague?

Mr. McCOMAS. If I have time later, I will yield.

Mr. WELLINGTON. I want to object to my colleague's words as to my desertion from the Republican party.

Mr. McCOMAS. Then I will accept the objection.

My colleague's prepared speech was fully printed in the Baltimore Sun. From it I read these rather vague statements:

A few days before the vote was taken I called upon him (the President), at his request, in company with a Senatorial colleague [meaning myself], and the question of the treaty was discussed at length.

Further, my colleague said:

The conclusion then reached was that I would abstain from amending the treaty and that I would cast my vote for it. This was agreed, upon the assertion of the President that it was not his purpose permanently to acquire or hold against the consent of the inhabitants the Philippine Islands, that it was his purpose only to restore order by American arms in the contest then being waged, and to prevent foreign interference in the affairs of the archipelago. This was the understanding, and upon that promise I voted for the ratification of the treaty; without my vote it would not have been ratified. The treaty was ratified, but the promise of the President was not fulfilled.

This charge is absurd and is without foundation. Let me show the absurdity of the charge.

The Constitution makes a treaty part of the supreme law of the land, and the treaty of Paris in terms provides:

That the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

The commissioners who made the treaty and the President who transmitted it to Congress were familiar with our Constitution, which provides that—

Congress shall have power to dispose of and to make all needful rules and regulations respecting the territory of the United States.

It is for Congress to say how we will govern the Philippines, which belong to us, if we do not cede them. It is not for the President, nor did he, as my colleague says, arrogate to himself that function in his talk with my colleague and myself.

On December 5, 1898, the President sent his annual message to Congress. This was sixty days before the ratification of the treaty. Of course my colleague had read before our visit this statement therein about the Philippines:

I do not discuss at this time the government or the future of the new possessions which will come to us as the result of the war with Spain. Such discussion will be appropriate after the treaty of peace shall be ratified. In the meantime and until the Congress has legislated otherwise it will be my duty to continue the military governments which have existed since our occupation and give to the people security in life and property and encouragement under a just and beneficent rule.

Had the President in our interview claimed power to dispose of the Philippine territory, I am bound to believe my colleague would have reminded him that power was in Congress and not in the President and that the President in his annual message had admitted the sole power of Congress to permanently dispose of the Philippines when ceded by the treaty.

The treaty was ratified on February 6, 1899. Ten days thereafter the President made his notable speech in Boston. It was no doubt read by every Senator, including my colleague. If my colleague then believed the President had misled the Senator he should then have called attention to this speech of the President:

The treaty has been ratified by the votes of more than two-thirds of the Senate. Spain is now eliminated from the problem. It remains to ask what we shall now do. I do not intrude upon the duties of Congress or seek to anticipate or forestall its action. Congress will have the power and I am sure the purpose to do what is right and just and humane for these people in distant seas. This whole subject is now with Congress, and Congress is the voice and conscience and the judgment of the American people. Upon their judgment and conscience can we not rely? I believe in them. I trust them. Until Congress shall direct otherwise it will be the duty of the Executive to possess and hold the Philippines, giving to the people thereof peace and order and beneficent government.

Surely my colleague read the part of the President's message of December 5, 1899, in which he said:

The future government of the Philippines rests with the Congress of the United States. It does not seem advisable that I should recommend at this time a specific and final form of government for these islands. When peace shall be restored it will be the duty of Congress to construct a plan of government which shall establish and maintain freedom and order and peace in the Philippines. The insurrection is still existing. As long as the insurrection continues the military arm must necessarily be supreme. Until Congress shall have made known the formal expression of its will, I shall use the authority vested in me by the Constitution and the statutes to uphold the sovereignty of the United States in those distant islands as in all other places where our flag rightly floats.

Surely, I say, my colleague must recollect that statement of the President in his message of December 5, 1899. If he believed the President made a different statement to my colleague and myself, why did he not then make his charge against the President? These three statements of the President's purpose all agree with each other and disagree with my colleague's statement.

To my knowledge, neither in public speech nor in any conversation with me did my colleague ever complain that the President had pledged him in our interview that the Philippines should not be permanently held. It was impossible that the President could have made such a statement for the reasons I have given, and it appears impossible that my colleague could have been persuaded to believe any such statement made by a President, for I assume my colleague had read the Constitution and read the treaty and the two annual messages to Congress concerning the Philippines.

With full knowledge of all these statements of the President's purpose, clear, explicit, and constitutional, thereafter, in the early days of December, 1899, my colleague, as I am informed by General Agnus, called upon the President to assure him that he (the Senator) would loyally support the President's Administration. Gen. Felix Agnus, the editor of the Baltimore American, was with him, and asserts that my colleague assured the President of his support of the Administration nearly one year after the ratification of the treaty.

My colleague never made this absurd charge until in the mid-summer of 1900, when he was about to go over to the Democracy in support of Mr. Bryan.

Mr. WELLINGTON. Mr. President—

Mr. McCOMAS. I can not yield just now. I will try to yield if I have time. I will hurry on with what I have to say.

I have shown the absurdity of this charge. I say further there is no foundation for this charge, and I give the substance of the conversation which occurred when we visited the President.

In the first place, my colleague is in error when he states that we visited the President at his (the President's) request. We, by telephone, asked an interview with the President. He replied that he would receive us.

My colleague is again in error when he says the conclusion then was that he would abstain from amending the treaty. I can not say to what pending amendment my colleague refers, because no amendment was discussed in our twenty-minute conversation with the President. My colleague said he would vote for the treaty. Thereafter the burden of my colleague's talk was complaint of the Spanish war. He said nothing of its glories, but still considered it a calamity; and after the President had stated substantially what he said in my quotation from his Boston speech my colleague again assured the President he intended to vote for the treaty and to give the President loyal support in his Administration.

My colleague did say he was opposed to a Philippine State or Territory, the President replying, "You gentlemen are in Congress, and Congress will have the power to determine the future government of the islands." My colleague voluntarily assured the President that he would vote for the ratification of the treaty without any pledge or promise or representation from the President other than the general statement that the President, when the treaty was ratified, would go forward to enforce peace and order and exercise a temporary civil control until Congress should provide by legislation a government for the Philippine Islands.

This was, in substance, the whole conversation—nothing more, nothing less, nothing different. I regret that my colleague has forgotten the conversation, not only because it imputes to our martyr President forgetfulness of the Constitution and the treaty, but because it imputes to my colleague that he has forgotten the fundamental difference between the powers of the Executive and of Congress.

More than all that, I am profoundly sorry that my colleague in his place in the Senate, when that noble President is in his grave, mourned by all the world, mourned by the whole nation, and nowhere more deeply mourned than by all the people of the State we both represent, has repeated a statement which I have shown could not have been made by the President and was not made by the President.

The PRESIDENT pro tempore. The time of the Senator from Maryland has expired.

Mr. McCOMAS. My colleague is entirely mistaken in his statement of the conversation with President McKinley which occurred in my presence.

Mr. BERRY obtained the floor.

Mr. WELLINGTON. Will the Senator from Arkansas yield to me?

Mr. BERRY. I have only fifteen minutes. Otherwise I would. It would deprive me altogether of the right to speak, according to the arrangement.

Mr. WELLINGTON. I desire to say merely this—

The PRESIDENT pro tempore. The Chair has recognized the Senator from Arkansas.

Mr. BERRY. I will yield if it does not come out of my time.

Mr. WELLINGTON. I must reply to the statement of my colleague.

Mr. BERRY. But I can not yield if it is to come out of my time. But for the arrangement by which fifteen minutes only is to be given to a speaker I should be glad to yield to the Senator from Maryland. He will have an opportunity later.

Mr. President, a little more than three years ago, in December, 1898, the Republican party and the Republican administration had the choice between peace and war in the Philippines. It was a great responsibility thrown upon that party, and which they and they alone were to determine. It is due to the then President to say that he hesitated long before he determined what that policy should be. But having made that determination, and having issued a proclamation which brought about the war, the Republican party can not escape the responsibilities which come from it.

I understood the Senator from Wisconsin [Mr. SPOONER] to say the other day that Mr. Bryan and the Democratic Senators who voted in favor of the ratification of the treaty were responsible for the consequences which followed. I thought that an unkind statement, coming from the Senator from Wisconsin, because day after day in the discussion of the treaty the Senators upon the other side of the Chamber urged and pleaded with Senators on this side to vote for the treaty, and no men were more eloquent in their pleadings than the Senator from Ohio and the Senator from Wisconsin, and no men were more liberal in the promises they made as to what the President would do in giving this people their liberty. And yet, after having persuaded some of our friends over here to vote for the treaty, after having promised them, as the Senator from Ohio and the Senator from Wisconsin did, that these people should be made independent, then comes the Senator from Wisconsin and reproaches these men for having done what he urged them to do and which they did, relying upon his promises.

Mr. President, I was not one of them. I told the Senator from Wisconsin on this floor that I did not trust their promises, and therefore that no power on earth could make me vote for the rat-

ification of the treaty. Therefore I say it was unkind and unjust to attempt to thrust the responsibility upon Senators who, misled by their promises, gave their votes in favor of the ratification of the treaty.

But it was before the treaty was ratified that this policy had been inaugurated. When that proclamation was issued by the President in which absolute sovereignty and dominion were proclaimed it was the proclamation of war. Those people had fought for hundreds of years for liberty and believed they had it almost within their grasp. They had aided us in the contest. They believed the long-deferred time had come; and when that proclamation was made, came a proclamation, too, after the treaty was signed, but before it was ratified, wherein absolute sovereignty and dominion were asserted, it was only a question of time when the conflict would come. When a people with arms in their hands, who had fought for three hundred years for liberty, with the belief that they had won it, were suddenly deprived of their hopes, it was the most natural thing on earth for the conflict to come.

But these Senators seek to shift the responsibility on Democratic Senators, and yet they say that their policy has been a success. It seems to me that if you really thought your policy had been a success you would not try to put the responsibility for it upon others.

We say it has been a miserable failure. You say it has been a success. That policy has already cost the Government of the United States \$500,000,000, and no dollar has been returned. That policy has cost the lives of more than 10,000 of our soldiers and has sent 1,000 more to insane asylums. That policy has brought sorrow and pain and despair to thousands of American households. That policy has brought ruin and destruction upon a far-off people who never injured us, but who aided us in the war with Spain. You have burned their houses and desolated their homes. You have killed, as the Senator from Massachusetts says, a hundred thousand men and at least some of their women and children, and all of this has come from your policy which you say has been a success.

Not only that, but this policy has brought forth a Commission, clothed with arbitrary power, which has made it a crime for one of those people to breathe a hope for liberty; a Commission which has denied them the writ of habeas corpus, which has denied them the right of trial by jury, which has denied them the right of free speech. And yet you say that policy has been a success. What do you mean by success? In what way has it been beneficial to the American people?

All this has been done. Three years have rolled by and yet you dare not say to-day what is your ultimate purpose. You dare not stand upon this floor and assert that it is your purpose to admit the 10,000,000 Asiatics into the American Union with equal rights and equal privileges with the American citizens. There is not one man here who will say that he favors that policy. You dare not say that it is your intention for all time to come to govern them under the arbitrary and unconstitutional method now employed, and you have not the courage to say, "We made a mistake, we committed an error, and we will retrace our steps and yet do justice to these people."

Why should you not grant them independence? What reason can you give? We went to war with Spain for the sole purpose of freeing Cuba. Every man who testified before the Paris Commission, including Admiral Dewey and General Merritt, said these people were more competent for self-government than the Cubans. If we were willing to give money, if we were willing to give the lives of our soldiers to make the Cubans free and independent, can any just man tell me why we should not give it to the Filipinos, when it would not cost us one dollar or one life? No man yet has ever given a reason why in that proclamation we should not have offered them their ultimate freedom. If there had been one word or one sentence in the proclamation which promised them independence, even in the far-off future; if there had been one word that the executive department of this Government favored a policy of that kind; if there had been a single hope or a single light held out to them, there would have been no war. Do you not think it would have been better, do you not think it would have been more honorable, to give them that promise, and thereby save all the bloodshed that has followed? You can not shirk the responsibility, because you deliberately pursued that course.

Mr. President, I have no hope that anything I can say will induce you to retrace your steps. It is too late to right all the wrongs which have been committed. It is too late to bring back \$500,000,000 which we have expended. It is too late to restore the lives of our 10,000 soldiers who have found graves in that far-off land. It is too late for that, but it is not too late to do justice. All seasons and all times ought to be a place for justice, and if you are to be true to the traditions of our Government, if you are to be true to all we have ever professed and all we have ever taught and all we have ever believed, if you are to relieve

this Government from the stain which has been put upon the fair name of the Republic by doing an injustice to these people, you yet can in a measure redeem what you have done. You may not erase the blot altogether, but you can obscure it, and you can thereby regain the confidence of the American people in the belief that this Government shall be what it was intended to be, that it shall still be the friend of liberty wherever it may be. You may yet, if you will, retrace your steps and tell these people that ultimately you intend to make them free. That will bring peace within thirty days. If you do that, while I say now it will not fully atone for the wrongs done, yet it will hold out to those in every land and in every clime the hope that the American Republic is still the friend of liberty and is still opposed to oppression, come from whatever source it may.

Mr. DOLLIVER. Mr. President, I have had a good deal of hesitation, amounting, I may say, almost to timidity, in taking any part at all in this controversy, and that feeling of timidity has increased rather than diminished as the debate has drawn toward a conclusion on account of the bewildering variety of talents which have been brought into action.

There are some questions, and I have all along felt that this is one of them, the proper solution of which requires the counsel and the good will of everybody. There are situations in which a country like this ought to present a united front, and in which contentions of a merely partisan character are not only damaging to the public interests, but injurious to the national prestige.

The questions presented in this bill, if I have got the meaning of it correctly, are comparatively simple. It is not a question of constitutional law. It is a question of practical public policy in our commercial relations with the Philippine Islands. The bill proposes to reenact the Taft Commission schedules in the dealings with these islands of the outside world, including ourselves, and it proposes to cut the Dingley rates 25 per cent in the dealings of the islands with us.

I have been informed that an amendment is pending proposing to enlarge the commercial opportunities of the islands in their dealings with us, and while I do not intend to set my own opinions against the judgment of the committee which has had this matter in charge, I can not forbear to confess here my conviction that the time will come when we will, in order to preserve a manageable situation in these islands, be required to establish conditions of trade comparatively free, so far as their dealings with us are concerned.

There is an incongruity which the world has not been slow to perceive in the policy of permanently protecting ourselves from our own possessions, especially those possessions which are so situated that they have to buy nearly everything they consume and export nearly everything they produce.

The other day I asked a Democratic friend on the other side of this Chamber how it happened that when this great opportunity arises for constructive legislation, for creative work in the affairs of our Government, we are treated to a six weeks' controversy on matters that are dead and gone, which passed out of the consideration of Congress more than two years ago. My friend replied that he and his colleagues were engaged in making a platform for the Democratic party. I suppose that may be taken at least as an explanation of the singular attitude of our affairs here to-day.

Now, that platform has already fallen down under the feet of the Democratic party. The Senator from Washington [Mr. TURNER] a moment ago said that this question had never before been presented to the American people. That is not my recollection about it. My memory about it is that it was presented to the American people two years ago, and under auspices at least as encouraging as surround it to-day.

It had the advocacy of the most famous Democrat living in the United States, the leader, and the tried leader of the Democratic party, a man who hardly yet 40 years of age, by the unaided force of his own genius and his own character, has made himself the well-beloved leader of millions of people in the United States; and it had also an alliance, more or less valuable, with the venerable Senator from Massachusetts [Mr. HOAR] and others scattered about sparsely over the United States.

At least that alliance held good while Congress was in session, though I am pleased to say that the moment that honored and indefatigable student of American history got home he made haste to say that the success of the Democratic party, while it might possibly save the Declaration of Independence, would probably cost the American people all their other worldly possessions.

It was presented on the part of our Democratic friends as well as it will ever be presented again, and with the encouragement and help of many people who before that time had only a languid interest in the Democratic party. It was submitted to the American people, and, in my humble opinion, it was disposed of finally as an issue in the politics of the United States.

I heard a Senator say the other day that a matter is never settled in this country by a mere count of heads and clack of tongues.

That may be true, but it would be at least a valuable exercise for our Democratic brethren to inquire into the reasons why that propaganda in favor of human liberty under the patronage of the Democratic party failed to make headway in the United States two years ago.

I intend to point out, if my fifteen minutes last, some of the morbid aspects of this platform which in my judgment make it incurably defective and fatally objectionable to the country. I wish to point out in the first place that it disparages the Army of the United States. Now, I have heard several eulogies on the Army in this Chamber, followed almost instantly by the most vehement and most unaccountable slanders and libels ever uttered against a national army in the history of the world.

I have sat in this Chamber and heard the officers of the United States Army denounced for murdering prisoners and shooting down helpless men after they had surrendered. I have heard letters read and rumors set afloat here that the Army is an organized scheme of cruelty in the Philippine Islands. Of course, nobody pretends to believe such a thing, and I honor the distinguished Senator from Massachusetts for rising in his place on Saturday and calling a halt on the scattering of these wicked scandals against the good name of the Army of the United States.

I have read this literature both since this session of Congress began and before Congress met, and I say here that not a single syllable has been put on record which would be accepted in any court of justice. Every allegation is a hearsay, in most cases two or three times removed, and I have felt that the United States Army ought to be protected from a campaign of that sort. Our soldiers over there have had a hard task. They are on the other side of the world, in a land of strangers, far from their homes. They are doing their duty—officers and men alike—with fidelity and with heroism. Some of them have made themselves famous in the legends and traditions of the service. They have had enough to bear—burdens enough—without hearing a constant fusillade in the rear from so-called politicians in the United States.

I say to you that the American people will not tolerate a campaign of that sort very much longer. The patriotic sentiment of the nation everywhere is, always has been, and always will be, God bless the soldiers of the United States Army wherever they are encamped.

Again, this platform is fatally defective because it disparages the Government of the United States. Whatever has been done in the Philippine Islands has certainly been done in the light of day. I was interested as I listened a moment ago to the Senator from Washington trying to lighten the weight of the accusation made by the Senator from Wisconsin [Mr. SPOONER] that these bitter denunciations of the national policy fall, in reality, upon the late President of the United States.

How is it possible to attack with intemperate abuse our Philippine policy without desecrating the grave of William McKinley? My friend said he had great admiration for him, and in the same breath he denounced our proceedings in the Philippine Islands as an infamy, a perfidy, and a dishonor without a parallel in the annals of the United States.

We who have lived through these times know that no step has been taken without the counsel of William McKinley. We know, what the Senator from Washington does not seem to know, that the former President was not a weakling driven by the evil influence of others.

We know that in every step of this great transaction he himself gave to the policy of the United States the weight of his influence and the value of his public counsels; and it is not possible, whatever may be said on either side of this Chamber, to utter a railing accusation involving the character of the Government of the United States, filling the air with charges of perfidy and dishonor and tyranny, without covering with degradation and reproach the central figure in the progress of these times—the man whose name can not be separated from this epoch in the national life, and whose grave, yonder at Canton, has become a shrine for the pilgrimage of the human race in all ages.

Again this platform disparages the people of the United States. We sat in this Chamber, Saturday, and heard the American people described as a "set of asses." We sat in this Chamber and heard the American people derided as so besotted as not to be open to Democratic arguments; and I could not listen without feeling that this Democratic attack upon the national policy belittles the whole character and purpose of the American people.

They have entered upon the administration and management of far-off islands with doubts and uncertainties and misgivings. They have taken, step after step, many of them in the dark, but judging from what I know of the American people, and what I was able to find out from the last election returns, that they are walking steadfastly and calmly, aware of the difficulties and dangers that have surrounded us, and true to their national characteristics, they intend to go through with this work in the fear of God, even without the aid of the Democratic party.

This Democratic platform has this morning been paraded to confute those who still cherish the faith of our fathers in the Providential government of this world. I have inherited an old-fashioned belief that nations are subject to a guidance by powers somewhat higher than our poor human wisdom.

If I did not believe, I will say to the Senator from Washington, that there is a less fallible direction in our affairs; that there is a wisdom in the concerns of men somewhat more perfect than is found in the streets of Washington or Paris or London or Berlin, I would despair both of civil government and of human society itself; and I do not regard it, as the Senator from Washington seems to regard it, as an evidence of weakness in the character of the fallen President of the United States that in the midst of the darkness which has surrounded the American people as they have tried to deal with these difficult and complex questions, he more than once publicly avowed his dependence on the arm which is almighty and recognized with reverence our divine commission to stand in the arena of the world's great affairs, as the obedient servants of mankind. I am not ashamed of that philosophy.

If I read the history of the United States correctly, this platform is a disparagement of every stage in our national growth. Even these pleas in behalf of liberty, these citations more or less accurate from the Declaration of Independence, are not new. They have beset the footsteps of the great statesmen who have guided the enlargement of our frontiers in other generations.

For my part, I have no fear for human freedom, and I will say also that I have very little patience with a man on any side of this Chamber who thinks that the cause of civil liberty will stand a better chance under the proclamations of the military chieftains of the Malay tribes in the islands of the Pacific than it does under the flag of the American Republic. [Applause in the galleries.]

The PRESIDENT pro tempore. The occupants of the galleries must understand that under the rules of the Senate no marks of approval or disapproval are permitted, and if repeated the galleries will necessarily be cleared.

Mr. VEST. Mr. President, I desire to offer an amendment.

The PRESIDENT pro tempore. The Senator from Missouri offers an amendment, which will be read.

The SECRETARY. Add at the end of the bill the following as a new section:

SEC. 8. Nothing herein contained shall be held to mean that the United States intends to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to retain permanently said islands as an integral part of the United States; but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands, to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of said States and the inhabitants of said islands.

Mr. VEST. Mr. President, this amendment is identical in its provisions with the McEnery resolution, which was adopted by the votes of Republican Senators in 1898, after the ratification of the Paris treaty.

It is not my purpose to enter into a discussion of the general question which has occupied the attention of the Senate for the past six weeks. I simply wish to emphasize the fact that the only successful attempt in either House of Congress to offer to the people of the Philippines local self-government and independence has come from the Republican party in this Chamber. If anything has been said in this debate more frequently than anything else, it is that while hostilities are going on in the Philippine Archipelago any suggestion of independence or self-government in the Philippine Islands is giving aid and comfort to the enemy, and we have been told that those of us who even dared to criticize in the slightest degree the conduct of the war after the ratification of the Paris treaty are perilously near to treason itself.

Now, Mr. President, I should like to know from any of my friends upon the other side if we are guilty of giving aid and comfort to the enemy by any of the remarks or amendments we have offered contemplating self-government and independence for the Filipinos, in what position have Republican Senators, embracing all the leaders in this Chamber, placed themselves by voting for the McEnery resolution in 1898? I repeat, that the only successful attempt to offer self-government and independence to the inhabitants of the Philippine Islands has come from the Republicans themselves, and they were the first to tender aid and comfort to men who had arms in their hands against the Government of the United States.

The McEnery resolution was adopted by a vote of 26 to 22 five days after the battle had been fought in front of the walls of Manila, where it was said 4,000 Filipinos were killed, wounded, and captured.

Mr. President, let me say for myself that, so far from desiring to give aid and comfort to the enemy resisting the authority of the United States, I deplore the existence of that war. Although I sympathize with every people upon the face of the earth struggling for self-government and independence, if my voice could

reach the Filipinos to-day I would advise them to cease this hopeless struggle, which can only result in the loss of blood and the expenditure of treasure, and can not benefit the Filipinos themselves, and certainly not the people of the United States.

While I say this, I wish it to be distinctly understood that I will not cease to oppose, so long as I can, the unnecessary, cruel, and unconstitutional methods adopted by the Republican party in carrying on this war. I do not abdicate, while I deplore the existence of this strife in the Philippine Islands, the right as a Senator and citizen to declare that the Constitution of the United States is supreme, and that it can not be violated by members of Congress in either House unless they deliberately violate their oaths to support that instrument.

The greatest evil that can befall the people of the whole world is the destruction of free and constitutional government upon this continent. We are engaged in the great experiment of the people governing themselves; and if that experiment is a failure, a calamity greater than the destruction of all the islands of the ocean with all their inhabitants has fallen upon the human race and upon the cause of liberty and human rights.

Sir, I shall not indulge in any theological discussion such as we have just heard from the eloquent Senator from Iowa [Mr. DOLLIVER], nor will I apply offensively what was said once in the British Parliament that the last refuge of a hypocrite is religion. Whenever our mistakes and crimes and follies are placed at the door of Providence, we may be very certain that we can give no adequate and sufficient reason for conduct which all the world sees to be wrong and the effects of which we seek to evade by placing the responsibility upon a higher power.

Never, Mr. President, will I vote to place in the hands of any one man what has been given to the President of the United States by what is known as the Spooner enactment, placed in the Army appropriation bill of the Fifty-sixth Congress. I was astounded the other day, long as I have listened to amazing statements in this Chamber, when the senior Senator from Minnesota [Mr. NELSON] declared that the Spooner law, as I have said, in the Army appropriation bill, was framed after the Louisiana act of 1803 and that the Constitution gave to the President as great a power in itself, *proprio vigore*, as was conferred upon the Chief Executive by these two legislative enactments.

Mr. President, there is no more similitude between the Spooner law and the act of 1803 than between night and day, or fire and water, or truth and falsehood.

In 1803 the Congress of the United States passed an act giving to President Jefferson the right to fill all offices then existing in the Louisiana Territory and to preserve peace and order until Congress should see proper to apply a systematic code of laws to that newly acquired Territory. The Spooner bill creates an autocracy as unlimited as that of Russia or Turkey. It gives to the President of the United States, in so many words, the power to create offices in the Philippines, to appoint such officials as he pleases, and to give them such powers as he thinks necessary. It gives him the power of life and death, the power to take property without compensation, the destruction of all the rights which the Constitution of the United States gives to every human being beneath our flag. There can be no pretense that this enactment was intended for any other purpose than to make the President of the United States an autocrat without limitation upon his power in any regard.

More than that, Mr. President, this act does not apply alone to the Filipinos. It applies to every man, whether a citizen of a foreign country or of the United States, who for business or pleasure is found in the Philippine Islands. No citizen of this country is exempt from the unlimited power conferred by this act upon the Chief Executive of the United States.

I ask the other side where in the Constitution is found their right to confer any such power upon the Chief Executive. If there is one thing marked out in the Constitution more distinctly and emphatically than any other, it is the independence of the three great branches of the Government—the executive, the legislative, and the judicial. Yet by the Spooner enactment all the legislative powers and all of the judicial powers are conferred upon the Chief Executive and he can do as he pleases, when he pleases, and how he pleases, without regard to Congress or even the Supreme Court of the United States.

It was not enough that the President of the United States construed his power to mean that the bill of rights even did not obtain in the Philippine Islands unless he permitted it to be done, and therefore he instructed the first Commission which went to the islands that the bill of rights by his will and his pleasure should be effective in those far-distant islands.

The Spooner enactment goes further, and it declares emphatically that the Chief Executive can fill all offices, give all powers, suspend all laws and privileges as to every man, woman, and child within those islands.

Mr. President, I am not here to-day to indulge in any laudation

of the spirit of liberty which has heretofore actuated the American people, but I am compelled to say that commercialism has taken possession of this entire question. I am almost afraid, after the philippic of the Senator from Iowa [Mr. DOLLIVER], to mention the Declaration of Independence and Washington's Farewell Address. We read them from force of habit, but who pays any attention to them practically in our legislation here in Congress?

Professor Schurman told us in his eloquent address that the people of the United States desire to give the Filipinos independence and that we are governed by the great law of "do unto our neighbor as we would have him do unto us."

Mr. President, if the vote were taken to-morrow, with the promise of higher prices and increased commercial activity, it would be more than doubtful whether any single State in this Union would vote to withdraw the troops of the United States now from the Philippine Islands. The golden rule has had a new interpretation, the interpretation of David Harum, not to do unto others as you would they should do unto you, but "do unto others as you believe they would do unto you, and do it quick." [Laughter.]

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. ELKINS. Mr. President, the discussion of the bill under consideration, "to provide temporary revenue for the Philippine Islands," has taken a wide range. The policy of the United States in holding the islands and the methods thus far adopted for their government, putting down the rebellion against our authority, establishing civil government by the Taft Commission, the acts and doings of the civil and military officers, and the general policy of the Administration in regard to these islands have not only been opposed, but at times most bitterly assailed. Nothing done by the Government in the Philippines seems to have satisfied the minority; some are even opposed to subduing the rebellion; others sympathize with the Filipinos in their opposition to our flag and our laws.

The dominant party in Congress is substantially united in all the Government has done or is trying to do in the Philippines, while there is no unanimity in the views of the minority. In respect to these and other great public questions the minority is agreed only on one point—opposition to almost everything proposed by the dominant party. Some of the minority favor giving up the Philippines, "the scuttle policy," some favor holding them under a protectorate, some having them made independent and allowing the Filipinos to govern themselves, and others favor withdrawing the Army.

PHILIPPINES TERRITORY OF THE UNITED STATES.

The Philippine Archipelago belongs to and is territory of the United States. Article 3 of the treaty with Spain says:

Spain cedes to the United States the archipelago known as the Philippine Islands. * * * The United States will pay Spain the sum of \$20,000,000 within three months after the exchange of ratifications of the present treaty.

This article clearly ceded the right of sovereignty, jurisdiction, and ownership of the Philippine Archipelago to the United States, to which Spain had an undisputed title for three hundred years.

The treaty was ratified by the Senate, Democrats voting for the same under the advice of their Presidential candidate at that time, William Jennings Bryan.

But the Supreme Court of the United States has put the question at rest by declaring that the Philippine Islands are part of and territory of the United States.

In the case of "The Diamond Rings," decided October term, 1901, the court uses this language:

By the third article of the treaty Spain ceded to the United States "the archipelago known as the Philippine Islands," and the United States agreed to pay to Spain the sum of \$20,000,000 within three months. The treaty was ratified; Congress appropriated the money; the ratification was proclaimed. The treaty-making power, the executive power, the legislative power concurred in the completion of the transaction.

The Philippines thereby ceased, in the language of the treaty, "to be Spanish." Ceasing to be Spanish, they ceased to be foreign country. They came under the complete and absolute sovereignty and dominion of the United States, and so became territory of the United States over which civil government could be established. The result was the same although there was no stipulation that the native inhabitants should be incorporated into the body politic, and nonesecuring to them the right to choose their nationality. Their allegiance became due to the United States and they became entitled to its protection.

CONGRESS HAS THE RIGHT TO GOVERN THE ISLANDS.

Being territory of the United States, Congress has the right, and it is its duty under the Constitution, to govern the Philippine Islands as it may see fit. Section 3 of Article IV of the Constitution says:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The treaty and decision of the Supreme Court make the Philippine Islands territory of the United States and settle the question of sovereignty and ownership. The Constitution settles the

question how territory of the United States shall be governed by conferring this power on Congress. Unless Congress can govern these islands there is no other authority or power under our Constitution that can; they are in the charge and keeping of Congress, and Congress must meet this responsibility whether the Filipinos or their sympathizers are pleased or not. The Filipinos, according to the decision of the Supreme Court, owe the United States allegiance and the United States owe them protection and good government. The Republican party will see that both debts are discharged.

The Democratic party favored the war with Spain, which gave us the Philippine Archipelago, helped to ratify the treaty, but seemingly wish now to avoid the results of the war and carrying out the obligations of a treaty which could not have been ratified except with their aid.

The United States can not surrender its jurisdiction and sovereignty over the Philippine Islands. No nation ever gave up territory ceded by treaty following a war, especially where a large consideration was paid, as set forth in the treaty; it is unnatural for a nation to give up territory acquired in this way. An individual rarely parts with real estate for nothing, if it can be helped, and a nation never with its territory unless obliged to do so.

QUESTION DIFFICULT, BUT MUST BE MET.

Difficult and serious questions arise in considering what is best to be done with the Philippine Islands and how to govern them. Questions of this kind, however, are not new to the people of the United States. They were raised when Florida was acquired from Spain in 1815, and more seriously following the treaty with France in 1803, which gave us the Louisiana purchase, and were raised following the treaty of Guadalupe Hidalgo in 1848, by which New Mexico, Colorado, California, and Arizona were ceded to the United States by Mexico.

In the case of the Louisiana Purchase, stretching from the Gulf of Mexico to British Columbia and Oregon, now covering 12 States, with a population in 1890 of 11,232,439 freemen, with an area of 875,025 square miles, being seven times larger than the Philippine Archipelago, there was at the time of its acquisition relatively only a handful of people capable of self-government in all this vast territory. There were a few half-civilized Indians, and the balance were savages, numbering about 200,000. The conditions were about the same in the territory ceded by Mexico in 1848, except there came to us under this cession a foreign people who did not speak our language and knew as little of our institutions as the Filipinos, and in many respects resembled the civilized Filipinos.

When the Louisiana purchase was made, doubt was expressed as to the power of the Government to make it part of the United States and whether it was constitutional. Even Mr. Jefferson doubted the constitutionality of acquiring the territory and making it into States. There were all sorts of questions raised as to what disposition to make of this territory, how to govern it, just as are raised now in the case of the Philippines. The territory acquired from France and from Mexico were then much farther from the East and from Washington than are the Philippines now.

In 1867 we acquired, under a treaty with Russia, the Territory of Alaska, with an area of 577,393 square miles, and a population nine-tenths of which was Indians and the balance Russians. These three large accessions to the territory of the United States furnish precedents as to what may be done in the case of the Philippines, especially in the Louisiana purchase and the territory ceded by Mexico under the treaty of Guadalupe Hidalgo. In the case of the Louisiana purchase the Government proceeded, without considering the question of the consent of the governed, to organize for the civilized inhabitants a Territorial form of government; and as to the semicivilized and savage portion of the inhabitants, they have since 1803 almost continuously until within the last twenty years been in open hostility to the United States, and we have maintained an army to keep them in subjection, and now they are living at peace and learning the arts of civilization after all these years of hostility. What was done in this case can and will be done in the Philippines. We had the same experience in the territory ceded to the United States by Mexico, with about the same results.

GIVE THE CIVILIZED A TERRITORIAL FORM OF GOVERNMENT.

It is claimed that in the city of Manila, with 300,000 inhabitants, there are cultivated, educated, and refined people, as well as in portions of the other islands, for which a Territorial form of government is well suited. First of all we must put an end to the war, stop the rebellion, compel respect for the flag and sovereignty of the United States, and obedience to its laws; then give these civilized inhabitants just such form of Territorial government as is proper and best suited for them and their needs.

The form of Territorial government for the civilized portion of the Philippines might be varied according to the exigencies of

the case. It might be somewhat different from that adopted for our other Territories, but fashioned after the same. Treat the savages as we have treated our savage Indians. We have dealt with semicivilized people and savages for one hundred years, and there is no reason why we should not deal with the savages in the Philippines as we have done with our savage Indians from the beginning of the Government.

Take the case of Alaska. Congress governs it without even a Territorial form of government; it has established a court, some ports of entry, and appointed a marshal. The code for the government of Alaska was adopted by Congress, every Democrat in the Senate voting for it; it made laws for the people of Alaska upon every possible subject, provided methods of taxation on all business, going so far in section 460 of the code as to specify the license tax upon saloons, boarding houses, hotels, banks, billiard rooms, brokers, bowling alleys, cigar stores, meat markets, peddlers, and nearly every other kind or sort of business, and not one word was said about the consent of the governed or the power of Congress to make these laws and impose these taxes.

The people of Alaska had no part in making these laws—none whatever—were never consulted. Why should the Filipinos fare better than the people of Alaska or the people that came to us under the Louisiana purchase? The only difference is, the people of Alaska, after the cession, did not instantly engage in rebellion against our flag and authority, but became peaceable and law-abiding citizens. It is possible, however, had they organized a rebellion against the Government they would have had more active sympathizers in the United States against governing them and taxing them without their consent, but they did not get up a rebellion and therefore are not entitled to consideration at the hands of the minority.

CONSENT OF THE GOVERNED HAS NEVER BEEN ASKED IN THE TERRITORIES.

The consent of the governed was not asked in Alaska nor in the territory ceded by France and by Mexico. In all this national experience, covering not only vast territory with sparsely settled peoples, savages and semicivilized, Congress never asked the consent of the governed, but went on under the Constitution to provide such needful rules and regulations from time to time as it deemed best.

From the beginning Congress has at all times and everywhere compelled respect for the flag and obedience to its laws. It must follow the same course in the Philippines. Those who are civilized, worthy, and deserving, and who can appreciate it, should have a territorial form of government; those who can not should be governed and controlled as the Indians have been.

There is no other method or rule to be adopted in the case of the Philippine Islands than the one we have adopted and followed in dealing with acquired territory and the inhabitants thereof for a hundred years. Congress can not shrink from the task because there are difficulties in the way; it never has and never will. It can not give up these islands to the inhabitants nor to any foreign power; this is impracticable and impossible; and, considering our growing commerce and interests in the Orient, to become larger and more important as years go by, our relations to other countries, and our treaty obligations, we should not give them up even if we could do so justly and honorably. Much has been said in this debate about the sedition laws passed by the Taft Commission. These laws do not differ materially from the laws of West Virginia on this subject. If my constituents can stand them, I think the Filipinos can and should.

I have not the least doubt but that these islands will prove of great benefit to the United States in many ways in establishing and increasing our trade and business in the Orient, and in the end will be helpful to the people of the islands in uplifting them, giving them what they have never enjoyed—protection to life, liberty, and prosperity and the blessings of free government. I know this may be called commercialism, but whenever we can honorably extend our trade and commerce in any part of the world we should do it, and more particularly when we can by simply discharging our duty to people who have come to us by the fortunes of war and for whom we are responsible.

We can not bind the people and future Congresses by what we may do now in the way of promises as to giving the Filipinos statehood or absolute independence or establishing a protectorate over them. The most we can hope to accomplish is to end the rebellion in the islands, establish law, peace, and order, and give the civilized people such form of government as best suits their necessities, going forward doing our whole duty as we see it with the lights before us, leaving the rest to those who come after us.

The Republican party only insists upon carrying out the unbroken policies of the Government in respect to governing the people in acquired territory for a hundred years, having always dealt justly and fairly with them. It will insist at all times on subduing rebellion wherever it exists and upholding the flag wherever it floats on land or sea. It never had and never will submit to or even temporize with organized rebellion against the sovereignty of the United States.

CONDITIONS IN THE LOUISIANA PURCHASE THE SAME.

The conditions are not widely different from those in the territory that came to us by the Louisiana purchase, and particularly in the territory ceded by Mexico. The people that came to us by the cession from Mexico did not speak the English language, they were foreign to us, not accustomed to our institutions, and did not understand our laws. In the case of the Louisiana purchase the people complained of tyranny and oppression, protested, and said they were unjustly treated, but Congress under the Constitution did its plain duty. It made needful rules and regulations respecting this territory and its inhabitants.

Nearly every argument now put forth by the minority was then urged, but met, and the country moved forward. We are familiar with what has followed. There were doubts in the minds of the leading men in and out of Congress as to the power of the Government to create Territories with the view of making them States of the Union, but the difficulties were overcome and the apprehension, doubts, and fears disappeared. Ample authority was found in the Constitution to do what was done, and there is ample authority under the Constitution for what is being done now in the Philippines.

ISLANDS WILL PROVE BENEFICIAL TO THE UNITED STATES AND THE FILIPINOS.

The outcome of our efforts will be, under our beneficent Government, that the Filipinos in time will prosper, become law abiding, happy, and contented, enjoying the blessings of liberty and free government, which they have never known before. Let our Government put forth nearly a hundred years of efforts in the Philippines, as it has in the territory acquired by the Louisiana purchase; give it the same time and opportunity it has had in the territory acquired from Mexico under the treaty of Guadalupe Hidalgo, and I predict the results will be equally gratifying, and no Democrat in or out of Congress, in the Philippines or elsewhere, will be found to complain. Nations do not live for a day or a century, but for thousands of years, and they take time to work out great problems and difficult questions.

The day will come when we will have a population of twenty or thirty millions of prosperous, contented, law-abiding, free citizens in the Philippines enjoying the protection of our flag and the blessings of free government. Let us hope the United States will do better in the Philippines than the Dutch have done in Java and Sumatra, both prosperous islands with contented people. I believe we can govern people in far-off islands and in the Tropics better than European countries or monarchies, giving them better opportunities and better government. To say it could do less would be to admit for certain purposes the great Republic is a failure.

The bill before the Senate is simply to provide temporary revenue and in every way in the interest of the people of the Philippine Islands, and should pass.

Mr. CULBERSON. Mr. President, in the limited time allowed for debate under the present order of business it is obvious to all that only general principles can be considered. The position of the Democratic party, as I understand it, on this question rests upon two general principles—one, that during the temporary occupation of the Philippine Islands which we propose trade between them and the United States shall be free, and that upon the establishment of a stable government there they shall be independent. All else is mere nonessential detail, and upon these two general propositions we appeal to the judgment and conscience of the American people.

Mr. President, that under the circumstances our commercial relations with the Philippines should be free is dictated alike by our honor and their industrial interests. When we succeeded to the sovereignty of the Philippine Archipelago, assisted by the allied insurgents then in revolt, it already enjoyed free trade with Spain, which gave it an open and reciprocal market for its products with 18,000,000 people. Notwithstanding this, notwithstanding our obligations to those allies and the clearly implied promises of our military officers previous to the land assault at Manila, it is proposed by the majority to erect a tariff barrier around them, applicable to us and to all other nations, a barrier which will repress their trade, stifle their commercial development, and make of them industrial bondsmen. The minority protest against this as an act of national ingratitude and injustice. Instead of this we propose a compliance with our implied obligations, the freedom of trade as respects the mother country, accorded to their dependencies by the most successful colonizing nations, and the consequent individual prosperity and industrial development which such a policy will bring.

To add to the oppressive and faithless character of the course of the majority it is without the shadow of excuse, for the duties to be imposed on trade between the islands and the United States are wholly unnecessary in an economical yet progressive administration of Philippine affairs.

But, sir, the purpose in imposing those taxes is plain. Though

the inhabitants of those islands are already impoverished and in want, the glamour of conquest must be maintained and great salaries must be provided to tempt men of character and enterprise to become their rulers and the apologists of empire. The treasury of the insular government, already the most extravagant under like conditions in the world, must be kept filled to serve the spirit and the purpose of exploitation.

But back of this, more potent, perhaps, than all else, stand the avarice and greed of American trusts and monopolies, at whose instance the Republican party puts on and off its policies as a lackey changes his livery at his master's command. So far has this subserviency already gone that the protected interests through class legislation now not only reap unconscionable profits at home, but in many instances sell cheaper to foreigners than to their own countrymen. It is sad enough and humiliating enough, Mr. President, that the American people, drunk with temporary and subsidized prosperity and unmindful of their danger, shall be within the grasp of these combinations; but to deliver to them an alien, poor, and defenseless people approaches governmental infamy.

Not content with this condition of industrial servitude, the Republican party proposes indefinite political dependency and subjugation for the Filipino. Admitting, Mr. President, as all must do, our sovereignty there under international law, at the bar of conscience and in the great forum of public opinion the question of final retention of that sovereignty must be met and determined by the United States. Whether it was wise or unwise to accept that sovereignty in the beginning, whether we did it under the idea of finality, as some believe, or with a view of ultimately disposing of it, as others think, in my judgment we ought to relinquish it now, both because of the circumstances under which we acquired it and because it is inexpedient and unwise to retain it.

Whatever appeals may be made to our pride as a people, whatever specious and subtle argument may be offered to the contrary, whatever narrow denial may be entered of promises made, yet the material facts are that the Filipinos had long been in revolt against Spain, they had practically achieved their freedom before our forces landed on the islands, and at our instances they became our allies with the understanding on their part, which our officers did not until long afterwards controvert, that success would result in their independence.

Having sought and accepted their aid in battle, Mr. President, upon such conditions as these, to deny them the share in the allied victory which they expected and had a right to expect would be an act of perfidy unparalleled in the history of free and Christian people, and would leave an ineffaceable stain upon the character of the Republic.

But, Mr. President, aside from the question of honor involved, aside from the moral principle at issue, whether regarded from a commercial or political view, the sovereignty of the Philippines ought not to be retained. All the world knows the vast sums we are spending there, and unless history shall be reversed they will always be a care and a burden to us. After centuries of experience, after the enormous waste of blood and treasure to improve their systems of government, there is not an Asiatic colony to-day which is self-sustaining. If all the trade of the Philippines which will come to us because of our sovereignty is placed against the cost of wars and armies and navies their retention will involve, or if it could be weighed in the balance with the precious lives that will be sacrificed, we would turn from it as profitless and as unworthy of our mission as a people.

In a still more sordid sense this trade is valueless in comparison with its cost, for the Asiatics do not use or need or purchase American or European products except to a very limited degree. In the Anglo-Saxon colonies, with a population of 17,000,000, in 1897 the imports amounted to \$460,000,000, while the 730,000,000 of Hindoo and Mongolian inhabitants only imported that year \$530,000,000.

When we turn from budgets and trade, countless obstacles arise to political union with the Filipinos; but alienage of race and civilization and the mortal wound which it would inflict upon our free institutions suffice for me. For myself, whatever others may think, above trade, above the dream of colonial possessions, above fleets and armies and martial glory, however enrapturing, give me our race undefiled, our civilization untarnished, and our institutions uncorrupted by oppression and the lust for power.

Mr. LODGE. Mr. President, at the proper time I shall move to amend this bill by adding a new section providing for an appeal to the general Board of Appraisers on questions of valuation and classification of Philippine products.

I shall also move to amend the clause in regard to foreign tonnage by inserting the date July 1, 1904, for the application of the coastwise laws; and, so far as I am concerned, I shall accept the amendment offered by my colleague [Mr. HOAR] relating to the necessity of two witnesses in all cases of treason.

All the other amendments, Mr. President, I hope the Senate will

vote down, and especially all large and general amendments relating to policy and sentiment, which I think have no place upon this tariff bill.

Mr. President, when this debate opened I discussed for an hour the merits of this bill and the purposes of its provisions. I have been led to believe since then that that speech in regard to the bill before the Senate was the only wholly irrelevant speech made. [Laughter.] The debate which followed began with the American Revolution, which lasted two days; then, by an easy transition, it passed to the character of a United States judge in Alaska; thence it returned to our entire conduct of the Philippine affairs from the time of the treaty of peace, and during that discussion, Mr. President, so much acrimony has arisen that we were finally witnesses to an incident on Saturday which I think we all deeply deplore. But, Mr. President, that was not a momentary incident. It grew out of the general character of the Philippine debate. In that debate, Mr. President, the ordinary decencies and proprieties of public discussion which have always characterized the United States Senate hitherto have all been rudely brushed aside; interruptions have increased in frequency until they have become mere disorder, and language of the most unseemly character has been freely used. The time has come, Mr. President, in my judgment, when it is the first duty of the United States Senate to restore the character of its debates by a rigid enforcement of its rules, and by more stringent rules, if necessary, to the high plane which has always caused them to be held in honor by the people of the United States.

Mr. President, it seems to me that it is possible to discuss this question in the Senate of the United States without calling one side traitors and the other side hypocrites and cowards. It seems to me that it is possible to debate this question of the Philippines without throwing every kind of slander upon the officers of the Army of the United States and without applying to them abusive epithets.

It also seems to me, Mr. President, that the time has come when, in the Senate of the United States, the Presidents of the United States, who, after all, are the heads of the nation, should have at least the respect which we accord to a debate in the House of Representatives.

Within the week, Mr. President, I have heard our dead President, honored above all men for his patriotism, his ability, and his generosity of soul, accused on this floor of deceiving one Senator deliberately and of bribing another Senator. I have heard him portrayed as a bloody tyrant, eager to cast down the Filipinos into ruin and oppression. I think, Mr. President, that debates of that character and aspersions of that nature should stop, and stop now.

In the few minutes which remain to me I do not desire to bring conflicting witnesses here; I do not want to reconcile one story with another; still less do I wish to discuss the foul anonymous charges which have found their way into this Chamber—charges emanating for the most part from busybodies outside, who can find no way to advertise their own virtues but by charging vice and crime upon all their fellow-beings.

Mr. President, I want simply to summon as witnesses in the few minutes that I have facts which can not be impugned. We went into the Philippine Islands three years ago; it is three years since we ratified the treaty of peace. War was then flagrant through all the Christian Filipino provinces. To-day there are 34 of the Filipino provinces with organized civil governments, withdrawn from military control. There are two Filipino provinces, Infanta and Principe, which are sparsely populated and on the eastern coast of Luzon which have not yet been organized, but which are at peace; there are four, Batangas, Laguna, Tayabas, and Samar, where there is still a smouldering insurrection fast sinking away into quiet.

We have brought peace to those islands. We have organized civil government in 34 provinces. The 9 provinces that are occupied by wild tribes and by Moros are at peace and have always been so. There is less brigandage there to-day than at any time under Spanish rule.

More than that, Mr. President, those organized civil governments have reelected their governors and municipal officers within the month under popular elections peaceably held. Governor Taft, unattended and practically alone, rode into the center of Luzon within a few months before he left and no man's hand was lifted against him.

We have put into those islands and scattered through the provinces outside of Manila 835 American school-teachers; they are in 445 towns, and in 200 of these towns there is no American garrison, and only one school-teacher has been molested in any part of those islands.

These are proofs of peace and quiet not to be refuted or sneered down, and the greatest proof of all, one that can not be denied, a witness whose honesty can not be assailed, as I have heard every other witness, no matter how honorable, attacked on this

floor if his testimony did not coincide with the preconceived notions of the opposition—here, I say, is a witness that can not be impugned. A year ago we had 71,000 troops in the Philippines, to-day we have 41,000, and when the present orders of the War Department are carried out there will be only 26,000 troops left in the islands. There is a witness to the pacification that is going on and to the reduction of expenses which can not be overturned or set aside.

We have given the Filipinos schools. One Senator said it is oppression to teach them English, and I believe the editor of the *Commoner* says it is oppression to give them any education at all. So be it. I think the education we are giving them is a great and noble gift. We have given them efficient courts and quick justice. Mr. President, to go into a Spanish court, under the old rule, was a denial of justice; suits lingered, and lasted for twenty years. Now there is prompt justice. There were 90 prisoners in the Bilibid prison who had languished there for years, not knowing even the charge against them—men who had never been tried. They have all been released under the habeas corpus, which to-day in every organized province is a writ of right. We have brought them all these things, Mr. President—peace, justice, education. We have given to those people schools, habeas corpus, prompt courts, and a new code of legal procedure, and have started them on the road to civil government; and I say that the American people, sensible and wise, will know as they read that record that the three years have not been wasted and that every step has been in accordance with the wise and kindly policy of the President who is dead, carried out by his brave and patriotic successor who now holds his place.

Mr. President, we propose to go on and give these people more and help them further. In a bill which must pass before we adjourn we take back the lands of the friars, whose ownership is the greatest grievance those people have ever had, and return them to the natives. We give them all titles to their homesteads, which they have never had before; we give them a chance to work their forests, to open their mines, and, at the same time, an opportunity to American enterprise to build railroads and to develop the islands. We will settle the coinage and establish banks. We will go on in this path, and when Senators on the other side want us to utter vague promises of self-government, I say we are giving them self-government now, which is better than any promise. We are leading them in this way along the only road which can ever conduct them to independence, something that fine language and high-sounding resolutions can never do.

Mr. President, I do not underrate the commercial importance of the Philippines. I have never disguised my opinion of their value; but I say what took us there and what keeps us there, and the only valid reason for our expenditure of life and treasure, is our high duty, our clear responsibility, to those people, to ourselves, and to the world. We are not prepared to say now whether we will make them a State or give them independence under a protectorate, or absolute independence, or make them a self-governing colony like Canada or Australia, or whether we will hold them as a dependency. The time has not yet come for that. An attempt to settle the unknown future now would be dangerous to us and cruel to them. That is the question of another generation.

When the Senator from Arkansas [Mr. BERRY] tells us what we dare not do, I will tell him what we dare to do, and that is to reject, while we are responsible for the Government, what the minority advises, and do what we conceive to be our duty as the party in control of all departments of the Government.

Here hard by our doors lies the island of Haiti. We have stood across the path; we said, as we were bound to say to all the nations of the earth under the Monroe doctrine, into that island you shall not come. The responsibility we would not allow to others we have cast aside ourselves, and those people calling themselves a republic—a mockery of the name—those people who are said to have self-government—the bitterest irony ever spoken—are sinking back into savagery, into fetchism and degradation. Within a week a traveler has told me that he has seen human flesh exposed for sale in the shops of that island. I say when self-government, so called, comes to that and results in barbarous misgovernment, and we have the opportunity and the duty and the power to prevent it, we are derelict to humanity if we fail. I do not want to see a repetition of Haiti in the Philippines in any degree or in any measure. It would be an eternal stain on the fair fame of the United States and upon our courage and honor as civilized men.

I believe if we withdraw from the Philippine Islands now it will mean bloodshed, anarchy, ruin, and the division of the islands among other powers less beneficent, less pitiful, less generous than ours. If we stay and go on as we are going on I believe we shall raise the Philippine people to self-government and put them in a position where they themselves can say intelligently what relations they wish to bear to us. When that day comes, and not

before, it will be for them and for our successors here to determine that great question.

Mr. DUBOIS. Mr. President, I shall cheerfully give my support to the substitute offered by the minority of the Committee on the Philippines and shall vote against the bill of the majority. Holding, as I do, that when the treaty of peace was ratified by the Senate this archipelago became a part of the United States, it is impossible for me to discriminate against them in the imposition of taxes. My interpretation of the Constitution is that we can not tax them with discrimination so long as they are a part of this country. Therefore I can not vote for the amendment offered by the distinguished Senators from Ohio and Oregon. There is no difference, in my opinion, between a 75 per cent reduction and a 25 per cent reduction. There is no difference between a reduction of 98 per cent and 2 per cent. It is not with me a question of schedules. I can not vote, in accordance with my oath of office, to tax them at all.

Mr. President, I left the Republican party and the United States Senate in 1896 not so much on account of the money question as because of the tendency of that party to allow the great corporations and the power of wealth undue influence in the councils of the Republican party. The bill before us is on the same lines; and if I had not left the Republican party for reasons which were sufficient to me then, I should have left it fifty times since after it started on this colonial policy. No one can deny or will deny now that when this bill shall have been passed this afternoon we will have a colony. The time has gone by when those on the other side attempt to deny it.

Mr. President, I do not impugn the motives of anyone who does not think as I do in regard to the Philippine Islands. It is my judgment, however, that the junior Senator from Indiana [Mr. BEVERIDGE] stated the motive which actuates the Republican party, not only in this Chamber, but outside of it. He said that the main reason was that the islands would be of value to us; that we would not let them go at any time, because they would be a valuable possession. The opinion is prevalent that it will be a profitable enterprise. It is not a question of duty or philanthropy or the uplifting of the Filipinos, but a question of gain and profit for us. Whether or not Senators on the other side of the Chamber and those outside who agree with them will admit the truth of that assertion, I firmly believe it is the underlying motive for their action. With the establishment of gigantic trusts and department stores in this country, we have gone very far toward accepting the statement that in the struggle for supremacy in trade only the fittest should survive, and the wealthiest and most powerful are the most fit.

Recognizing this tendency on the part of the Republican party, I am not sure that I would call them hard names even if they boldly avowed that their object in holding these people and their lands was their own commercial gain. I have already stated my belief that this is the object of the Republican party.

In my judgment they will be disappointed. Loss, not gain, must come to us. These people will not trade with us. There is very little we have which they want or ever will want. People of tropical countries do not need nor care for what we produce, and never will to any degree. What we sell there now we sell to foreigners mostly, and it will always be so. Our complaint against the Chinese in this country, who are the most industrious of all the Asiatics, is that they will not buy of us even while living here. Our merchants complain that the Chinese will not trade with them while earning their money in this country. They get their goods from home even while living here. They do not use our articles even while living in our midst. The Filipinos do not and will not want our goods, and would have nothing to buy from them with if they did.

The Republicans intend to exploit the Philippines. They intend to grant franchises of all kinds and descriptions for railroads, for mines, to cut timber, etc., and they intend to sell the 60,000,000 acres of public land in large tracts, the limit to be 5,000 acres to any individual or corporation. According to Governor Taft, most of the 60,000,000 acres of public land is arable. Sixty million acres of land represents more arable land than there is in the States of California, Oregon, Washington, Idaho, Montana, Wyoming, Utah, Nevada, and Colorado combined. It represents more land than there is land in the States of Indiana and Illinois.

The capitalists whom the Republican party proposes to invite to go to the Philippine Islands to exploit them, in addition to cultivating the lands and cutting the timber, will establish factories; and how are they to be conducted? Who is to perform the labor? I have talked with men representing our Government who have been there. I talked with one only last night. I will not give his name. He is a representative of our Government, and he says that they can not cultivate that country without Chinese and Japanese laborers. I have talked with other representatives of our Government who say the same thing. I will not give their names.

I will only quote Governor Taft. Every member of the Philippine committee knows of the close personal relations existing between Governor Taft and myself, and I would not, on any account, misrepresent him in the slightest degree or question his motives, but he was asked several times in regard to Chinese labor. I think I can safely say that he evaded it. He conveyed the impression, to my mind at any rate, that in that country the labor had to be performed by Chinese. He was asked this question:

Senator RAWLINS. I want to go a step further. Do you think it wise, in enacting a law, to dispose of these lands in any way that would lend encouragement to or extend the influence of those who would desire the introduction of Chinese labor to subserve their purposes in the islands?

Governor TAFT. What we want to do is to develop the islands, and certainly the attraction of capital, by offering what will return a reasonable profit, is our policy, and the sale of lands in tracts sufficiently large to attract capital is an essential part of that plan.

That is as close as he ever came to answering the question; but I assert that you can not exploit that country without Chinese labor.

In Hawaii, now, they are asking us to allow Chinese and Japanese to come in. They can not cultivate their sugar fields with their own labor or with any other except Chinese and Japanese, and in this country now the feeling in favor of Chinese exclusion is weaker than it ever was before. It will be somewhat difficult for us now to pass the proposed Chinese-exclusion act, and the demand will come from the Philippines, and you will accede to it, to allow the Chinamen to go in there in order to exploit that country, or it will not be exploited. White men can not and will not work in that clime, and the natives will not do it. The Hawaiians will not in the Sandwich Islands, and much less will these people living in a more tropical country.

I was opposed to the annexation of Hawaii. I am glad to say that I have been opposed to this departure all the way through. The capitalists who will be invited to go to the Philippines will establish great factories. They will establish, for instance, a cotton factory. They will employ a great many Chinese hands, because there are 400,000,000 Chinamen at their doors, for laborers. They will make goods as well as any other people can, under our guidance and superintendency, and put those goods in competition with us here. It will be so in regard to wool. They will get it from Australia and the Mongolian plains. It will be so in regard to iron. Gentlemen may say that by this bill you have demonstrated that you can put a tax on their goods and keep them out of this country. When they are at work there, if you keep the goods out of this country by law, you can not exclude them by law from other countries, and their goods will be in competition with ours either here in the United States or else in the other markets of the world, and especially in China. I say you can not exploit those islands without Chinese and Japanese labor, and, further, that the next step will be to allow them to come in here.

I went into a factory in Hankow, on the Yangtse River, and I saw 2,500 Chinese men and boys employed in a woolen factory, with only one white man, the superintendent, around the premises. The Chinamen were receiving the munificent salary of \$1.75 a month and feeding themselves. They are so imitative that under skillful superintendents from America they can make just as fine goods as we make. The clamor, as I say, is now going on to let the Chinese and the Japanese enter the Hawaiian Islands, and the Japanese can not be kept out of the Philippines and the Chinese will not.

This whole thing appears to me to be wrong. Our nation has stood as the beacon light to all people in all climes who were struggling for freedom of thought and action and religion. We have invited them to come and live under our benign laws. We have allowed them to participate in all our affairs. We have given them citizenship and the right of the ballot after a short probation. We have assimilated them, and I say that our mission is to the white people of the world, and the hope of the white people of the world, in my judgment, lies between the country west of the Missouri River and the Pacific Ocean and north of that region in British Columbia. Let us not depart from the foundations. We have grown to be the greatest and the mightiest nation in trade by living under our own laws and not by annexing or trying to assimilate foreign people. It is time, it seems to me, for us to think a little of what is to come, and not do as those on the other side say, "Shut your eyes and blindly follow whatever we ask you to do." They twit us with being traitors if we even take a look into the future. They say, "The future will take care of itself. Follow us blindly now. We must not discuss what is to happen afterwards."

The PRESIDENT pro tempore. The time of the Senator from Idaho has expired.

Mr. STEWART. Mr. President, I have not been impressed with the usefulness of this debate. I can not understand what good is to be accomplished by finding fault with what is already decided upon by this Government. I do not see why men should

engage in criminations and recriminations about the fact. It seems to me it is our duty to consider pending questions; to give our attention to the duty of the hour. We have acquired the Philippines. Our title is perfect under the treaty we ratified and under the decision of the Supreme Court. Everybody knows that. We have undertaken to suppress rebellion there, and we have suppressed it mostly; it is nearly accomplished, and by appropriations made unanimously by both Houses. The Government of the United States is responsible for what has occurred. Why charge individuals? Why make long speeches that have no good purpose in view? Our duty is in the present. What are we doing?

As nearly as I can ascertain, we are extending the blessings of freedom to a people who never had them before. More has been done for the Filipinos in the last three years than was done for them by Spain in three hundred years, and the world knows it. They have in this period made more progress than was made by them during all their history.

The minority say we must establish government there and then turn it over to the Filipinos. When we have established government, when we have taught them the lessons of freedom, it will be time enough to decide what to do next. If you say you will do that now, it will be a question whether or not such a government has been established. The question will be, "When will it be done?" There will be no rest or content anywhere. We should go on as we have been going on in establishing governments and giving them, so far as we can, the privileges that we enjoy. Then will be the time to consider that question.

As to this particular bill, relating to the tariff, I would much prefer that there were no tariff upon goods produced in the Philippines and imported into this country. I am glad the Senator from Ohio has proposed an amendment reducing it from 75 per cent to 25 per cent. I would prefer that it should be free trade. The tariff established by the Commission, under the authority it possesses, against all the world was necessary in order to raise revenue to carry on the Philippine government. There is no other way of raising revenue but from a tariff on imports. The tariff duties that are paid on Philippine goods entering the United States will also go to that government. They will not be paid into the Treasury of the United States. The Government of the United States does not want them. They will be a small amount, anyway, but I do not think it is necessary for the Philippine government to have that amount. I think they can get an equal amount from other sources.

The idea that the Philippine Islands will interfere with the business of this country; that they will interfere with the raising here of tobacco or sugar or anything else, is very absurd. It will be so infinitesimal that it can not affect us. I am a protectionist on principal. I have always been. But that does not deprive me of my common sense. When I see that we can do a great good to the Filipinos by encouraging them without injuring our industries I want to have it done.

Furthermore, it must be remembered that the time is not far distant when we shall have free trade with them, because they are a part of our country. It is only a temporary arrangement, anyway. I prefer there should be no tariff, but I will vote for any reduction that may be proposed by amendment.

How can we help the Filipinos in establishing a government? We have helped people before. We will help them as we helped the New Mexicans. We will help them as we helped the people of Florida, and as we helped every people who have come under the jurisdiction of the United States. What did we do for New Mexico and California? We gave New Mexico a Territorial form of government. For four years we gave California a military government, but that military government was a mild one. The people elected their alcaldes. I lived under that government. It was not oppressive. It was American, breathing the American sentiment. The people did not rebel; they did not resist; and they had all the privileges they ever had. The State government came in after four years of that kind of government.

In New Mexico for half a century there has been a Territorial form of government, conferring all the blessings of free government that we enjoy. How can the Government of the United States be injured by governing as we always have governed the people whom we took under the jurisdiction of this country, giving them a Territorial form of government? That government is elastic. It can be changed to suit conditions. It is not arbitrary. You must let the people exercise the functions of government so far as they are capable. See how we have done with all our Territories—with Utah and other communities—hostile for the time being, but by allowing them to play government they have learned to govern themselves. That will be the case with the Philippine Islands, if we give them a chance to govern themselves, with organized institutions, letting them vote, etc., under our Territorial form of government. If they never learn it at all—if we can not teach them—then will be the time to consider the question of letting them go.

The Government of the United States has undertaken to extend free government to the Philippines. The world is watching our progress. Shall we fail? We never have. We will not now. How can the Government of the United States be injured by it? The Filipinos do not vote here. They do not participate in making our laws. Our Government will go on just the same as it always has. Their voting there for their local officers and for Delegates in Congress will not affect us. While the great experiment of extending to the Orient the free institutions we enjoy is being made, we will keep order; we will carry out the obligations that we have assumed toward Spain to preserve law and order and protect life and property there. We are bound to do that. Nobody is in favor of doing otherwise. The whole country is in favor of that. We will preserve order so that nobody will be injured.

Why in the name of humanity may not the people of the Philippines have an opportunity to learn this great lesson? They can not learn it by themselves. See what our example has already done. We first established a government here, and see how it spread over this continent. Gentlemen may say that some of the governments in Mexico and South America may not be good examples, but they are progressive governments. They are republics and are growing up to understand and appreciate liberty. Without our example what could they have done? Without our protection what would New Mexico have done? Without the Government of the United States having been spread over the Far West to the Pacific Ocean what kind of country would it have been? Mark the benign influence of the spread of free institutions. We now being in the Philippines, having been brought there by the fortunes of war, having acquired the islands legitimately, having undertaken to give an example in the Orient of the benign influence of free government, why should we not go on?

Why should we stop here and announce what you will do when you have given them free government, as the minority propose? We will know what to do with them when we have established free government. If the United States were to find fifty or a hundred years from now that they are fit to come in as States they will come in as States. Nobody proposes to let them come in as States now. Nobody proposes to do anything with them that could possibly affect our institutions. To extend to them Territorial privileges will not injure us. The system was wisely devised by the fathers. It is amply sufficient for all purposes that can possibly arise. It is the system by which free institutions have been spread over this vast continent to the West. It is the system by which they will continue to spread. It is an example that has elevated the whole continent of America.

It is our example, and shall we here, after having undertaken this great work, after having assumed this responsibility and carried it forward, with the expenditures of millions of money and the loss of thousands and thousands of lives, abandon it? Shall we say that our soldiers have died in vain? Shall we withdraw the flag in dishonor by saying that the cause is an unworthy one? Will the people of the United States consent that their graves shall be desecrated by the slander that they were murderers and pirates, and that the army must be taken away? No, no! The American people say that where the flag is planted and where it has been upheld by the blood and treasure of the American people there shall it remain.

It always has stood and it will not be torn down. The flag will not be torn down from the Philippines. They will have a free government, and if they can exercise the functions of a free government the world will say amen. If we adopt a policy of cowardice, leaving them now, it will disgrace the American name and dishonor the American dead who have fought under the flag of their country. But that will not be done.

The suggestion has been made that we will exploit that country; that we will steal its timber; that we will steal its franchises, and rob it. Where did the United States ever exploit a country? Did it exploit California, New Mexico, Texas, or Florida? Where in any of its acquisitions has the United States by its land laws and by its legislation exploited and ruined a country?

Will anybody believe that there will not be men here, and that there are not men here now and men who will come after us, who will guard the rights of the Philippines with the same jealousy that the rights of other sections of our country are guarded? There may be wrongs, but the American people have done all they could, and, continuing, will do all they can to prevent those wrongs. They have been successful, as the prosperity of regions newly acquired abundantly show. They show no exploitation. They show no injury and no ruin. On the contrary, they show growth in population, prosperity, and progress; and those we will have in the Philippines in due time. The American people have undertaken this task. The task may be a difficult one, but it is not the first time that our Government has undertaken a difficult task.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. BACON obtained the floor.

Mr. TELLER. I ask the Senator from Georgia to allow me to put into the RECORD a paper concerning this very question, which is a respectful statement by a gentleman who served with the volunteer forces in the Philippines. I ask to have it printed in the RECORD without reading.

The PRESIDENT pro tempore. Is there objection?

Mr. ALDRICH. What is the subject?

Mr. TELLER. It is a speech by Captain Hall at a dinner in Boston. He is an imperialist. It is on the question of taxation.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

AS SEEN BY THE OTHER SIDE.

On the occasion of the ninety-third birthday of Abraham Lincoln, the Middlesex Club gave a dinner at the Hotel Brunswick, in Boston, in which about 400 persons participated. The guests of the club were Hon. John D. Long, Maj. Gen. Daniel E. Sickles, Capt. Borden Hall, jr., and Roscoe Conkling Bruce, the young colored man who is the Harvard class orator this year, all of whom delivered addresses. One of the most interesting was that of Captain Hall, who served with the volunteer forces in the Philippines. He is an ardent imperialist and fully approves our policy in those islands. While we do not agree with Captain Hall's views altogether, we gladly quote from his speech:

"Having got the islands into this situation, America's duty toward them, our new wards, and how we are impressing them, is a momentous question. I am sorry to say I fear that so far their experience with our Government is, on the whole, a sad one; and it is just here, before it is too late for our Republican majorities in Congress to mend matters, that I hope we may extend them relief. In revolting against Spain one of their chief grievances was the unbearable taxation. We Americans have now actually reenacted the identical old Spanish internal-tax system, a thing of which all our people and I believe most of our members of Congress know nothing. I have in my hand a copy of the official Manila edition of the industrial tax under which I myself have paid tribute. It is identical with the old Spanish tax and has marked on its cover, 'Translation of Spanish decree of June 19, 1890.' Under its provisions absolutely no business can be done without paying heavy tribute to the American civil government in the islands. For instance, all directors, agents, or representatives of companies, corporations, or banks must pay 5 per cent of their salaries. All employees receiving over \$300 yearly must pay 2½ per cent. All corporations must pay 5 per cent of their profits. Importers and consignees of ships must pay \$500.

"No stores can be opened without paying a heavy annual tax; for instance, in Manila stores selling jewelry must pay for the privilege \$250; drug stores, \$200; those selling pig iron, \$150; those selling wrapping and writing paper, \$100; those selling locks and nails, \$30. If any of these stores desire to add petroleum, flour, or other articles, another \$100 must be paid. Auctioneers must pay \$150 for an annual license. Venders of meat in the street even must pay \$5 a year; of thread and needles, \$4.

"All kinds of manufacturing are also taxed; each horse power of a steam plant, for example, \$3. A house with more than two hand looms is rated a 'factory,' and each loom is taxed 50 cents a year; a steam crane must pay \$50 a year; carriages, \$10; wagons and carts, \$4. All professions and trades, likewise lawyers and doctors, \$75; tailors, \$50; watch repairers, \$15; barbers, \$6; carpenters and horseshoers, \$3; amusements, 10 per cent of one full house for each 10 performances; newspapers, \$30 a year.

"Then every one must pay a dollar poll tax. If a building is rented, 5 per cent of the rental must go to the government. Every bank check and dispatch must have its 1-cent stamp. Every receipt for payments for less than \$7.50, a 1-cent stamp; if for more, a 5-cent stamp. All business account books must be submitted every quarter and have 25-cent stamps attached to the pages. No petition may be addressed to government officials, no legal proceedings of any kind carried on, unless they are written on government stamped paper, varying from 2½ cents to \$2.50 for each four pages, according to the value of the matter concerned.

"Beyond all these internal taxes, he must pay a heavy tariff on all his goods, food stuffs, and machinery he needs from abroad, even though they do come from America, his newly adopted country, and may be only farm machinery or absolute necessities. In sending his staple products—sugar, tobacco, hemp, indigo, and rice—out of the islands to find a market he is confronted with another burden, an export tax, to go to this same American government in Manila. Nor even then are his difficulties at an end. Formerly he had a free market for his products in Spain; he would now naturally expect to find a substitute in the United States. In the past he has seen, and it was one of the things he most counted on for himself in seeking peace, Hawaii and Porto Rico given free entry into the United States for their products; in the last few months he has heard strenuous efforts made to give Cuba, a foreign country, a 50 per cent reduction. He must carry his products ten times as far, and yet the most generous suggestion for him—a dweller in American territory—is a reduction of half as much—25 per cent.

"In a land emerging from three years of desolating war, with many of its sugar mills and buildings burned and its machinery destroyed, the cattle plague last spring swept off 80 per cent of the water buffaloes—the only available power for plowing the land and moving the crops.

"Weighed down by taxation, unable to find a profitable market for his products, without employment for himself or his children, can it be wondered at if the Filipino exhibits signs of unrest and if those still in the field continue the struggle?

"I am, and hope I always shall be, a staunch and true Republican and an ardent supporter of Republican principles. But in the matter of our present treatment of the Philippines it is not a question of principles, but of policy, which is at issue. From this point of view, then, what can the Republican party here at home do that will make for permanent peace in the Philippines?

"In the first place, they can stop now, once and for all, talk and agitation within the party for independence, or ultimate independence, which only tends to continue factional disturbances among the people. Practically, unless we wish to shoulder the responsibility for years of resulting anarchy and disorder, it could not be granted for generations to come. From the legal point of view I believe our Constitution provides for expansion, but not contraction, of territory; and every American in or going to the islands trusts that the Republican party, Congress, the President, and the Supreme Court will never allow the hauling down of the Star-Spangled Banner. This, too, with fair consideration on our part, will never be desired by the people.

"Second, the Republican party can lighten the taxation, both direct and indirect. We all agree that large revenues are necessary to put into practice the reforms and improvements which are indispensable to the American mind. But let us remember that it is partly the Filipino mind with which we are now dealing. Let us remember that he knows when he is being taxed

heavier or lighter than under the Spanish rule, and by this, and by this alone, for some time, his ignorant mind will judge the American system. A \$3,500,000 harbor for Manila does not seem an individual benefit to him. He sees in our road building only a desire on our part to give our wagon trains more chance in case he ever again objects to our presence in the country. To the infinitesimal portion whose children are now being educated in English there may appear to be a desire on our part to wean the little ones from the influence of their parents. But, on the other hand, lighten the annual tax burdens he bears, give him a better price for his products, or let him get his much-desired American goods more cheaply, and he will evermore be an ardent supporter of American control.

"Third, grant restricted franchises where necessary to develop the country, and arrange suitable mining and land laws. With the enormous tracts of unoccupied lands, the Filipino welcomes the coming of the American settler, who can teach him improved methods in agriculture and the use of machinery. A sprinkling of steady, industrious American farmers through the country will have a wonderful steadying influence; will furnish an element, identified with the country, ready to give warning of intended disturbances; to furnish a reserve in case of trouble, and to supply in time the men to take the governing places where Americans are needed, and thus complete a government, partly Filipino and partly American-Filipino, which shall be purely local in interest, yet stable and well balanced in operation.

"Lastly, the Republican party here can pass laws promoting in every way the education of the people; and, above all, can give them a law permitting them to have representation in a central deliberative body where all the different races can receive due consideration from our Commission, and where the views, now dangerous, because smothered and discussed in secret, can be allowed to disintegrate in the publicity of open debate.

"If these things can be done, we may look with confidence to the future peace and prosperity of the Philippines. Owing to racial differences, we should probably expect to see, in the ultimate stage of evolution, a federation with three States—Luzon, the Visayas, and Mindanao. With gradual development and constant help, they will surely grow into a lusty child, an American Australia, which will desire a protectorate, and will ever look to this country for direction and advice; which will rely upon the free interchange of commodities for mutual advantage; which will hope and pray for a maternal consideration in all things, and which in return will give its filial love to America and will ever stand ready to shed the last drop of its blood in defense of liberty and the life and honor of its beloved mother country."—*City and State, February 20, 1902.*

Mr. BACON. Mr. President, I take the liberty of requesting that when only two minutes of my time shall remain, the Chair will notify me of the fact, in order that a paper, which is already in the clerk's hands, may be read during my time.

The PRESIDENT pro tempore. The Chair will notify the Senator.

Mr. BACON. Mr. President, I have presented to the Senate and have given notice that I would offer certain sections as an amendment to the pending bill. I will read the proposed amendment. It is as follows:

SEC. —. That when armed resistance to the authority of the United States shall have ceased within said islands, and peace and order shall have been restored therein, it is the purpose and intention of the United States, so soon thereafter as the same can be practically and safely accomplished, to provide the opportunity and prescribe the method for the formation of a government by and of the people of the Philippine Islands, to be thereafter independently exercised and controlled by themselves, it being the design of the United States to accord to the people of said islands the same measure of liberty and independence which have been pledged by the Congress of the United States to the people of Cuba.

SEC. —. That when a stable government shall, by the method aforesaid, have been duly formed and erected in said islands, competent and worthy, in the judgment of the United States, to exercise the powers of an independent government and to preserve peace and maintain order within its jurisdiction, it is the purpose and intention of the United States, reserving to themselves only such harbors and tracts of land as may be needed for coal-stations or other governmental purposes, to transfer to said government, upon terms which shall be reasonable and just, all rights and territory secured in said islands under the treaty with Spain, and to thereupon leave the dominion and control of the islands to their people.

SEC. —. That when said government has been thus formed and set up in the Philippine Islands and approved by the United States it is the design and intention of the United States, through such means and measures as may be deemed most efficient and appropriate, to secure the guaranty of the continued independence of the same.

Mr. President, it had been my intention on Saturday last to address the Senate in support of that amendment. Unforeseen circumstances prevented me from having the opportunity so to do, and in the limited time allowed me it is impracticable for me now so to do. I therefore will not offer, as I had intended, this amendment to this bill, but I shall offer it when the bill for the organization of a civil government in the Philippine Islands shall come before the Senate, which is really the more appropriate place for it.

I desire to say, however, Mr. President, as I can not now offer this amendment or discuss it in detail, that it is not new. I believe it to express the intention and wish of the Democratic party relative to the Philippine Islands. The amendment certainly expresses my individual view. It is the view which I have entertained from the beginning of this unfortunate complication. The amendment is in substance the same as the resolution which I introduced in the Senate in January, 1899, before the ratification of the treaty of peace. The amendment is in substance the same as the amendment which I offered to the McEnery resolution in February, 1899, and it is a verbatim copy of the resolution which I introduced in the Senate in January, 1900.

Before passing from this amendment, I desire further to say, and I challenge contradiction, not now, because it is impracticable, but hereafter, that there is not a single assertion or a single proposition of this amendment which is not approved and justified in the utterances of Senators on the other side of the Chamber

who now condemn it. Time does not permit that I should refer to all the utterances of Senators on the other side of the Chamber, but I will, in brief, call attention to some of them—sufficient to indicate where they can be found—and I will, with the permission of the Senate, insert them somewhat more at length in the RECORD than I shall read now.

Of all the Senators who have given utterances which approve and justify this amendment, the Senator from Wisconsin [Mr. SPOONER] has made them oftener and more emphatically than any other Senator in this Chamber.

I desire to call attention to some things which the Senator from Wisconsin, as well as other Senators, has said upon this subject. In a speech made by the Senator from Wisconsin on the 2d day of February, 1899, he used the following language:

This Philippine proposition is one of the fruits of the war. To me it is one of the bitter fruits of the war. I wish with all my heart we were honorably quit of it.

On page 31 of the same speech he said:

But, Mr. President, I shrink from the notion that the interests of this country will be subserved by making permanently a part of our land territory thousands of miles away, inhabited by peoples alien to us, not of our blood, not of our way of thinking, foreign to all our associations, living in a tropical climate, where the white man can not work, under labor conditions of necessity which we would not permit to exist in the United States.

Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.

The jingle of words which we read every day about "hauling down the flag" does not in the least either thrill me or impress me. Our flag has been hauled down before, Mr. President. It will be hauled down again. Where we raise it we will permit no other power on earth to haul it down, but with us it may be as honorable to haul it down as it was to raise it. It was hauled down in Mexico when hostilities ended there. If we had sent our fleet across the sea to the peninsula of Spain and captured Barcelona, raising our flag above it, it would not have been there to stay; we would have hauled it down.

To-day it floats in Cuba; the Spanish flag has gone forever, but our flag is not there to stay. It floats there in sight of the poor, wrecked *Maine* at Havana, but there will come a day, Mr. President—and I hope it will not be long—when we will take down our flag, raised there in the cause of liberty, and leave behind it liberty and an independent government, won and established under its folds. I hope that, too, about the Philippines, and that is not at all inconsistent in my view with the ratification of the pending treaty.

It is insisted that we must have permanent territorial expansion in order to extend our trade. Mr. President, I do not think so. I have been strongly inclined to think that in the long run, with all the embarrassments and complications and dangers it will bring upon our people, it will retard rather than develop the foreign trade of the United States. We have been growing rapidly in our trade without territorial expansion. To acquire distant, non-assimilable peoples in order, through permanent dominion, to force our trade upon them seems to me to be the poorest imaginable national policy. How far will that be carried? We want the trade of the world, and we intend to have our share of it. Are we, therefore, to obtain it by carrying this doctrine of expansion to the uttermost parts of the earth? If territorial expansion means national trade, if it be necessary to national trade, where are we to stop?

I think, Mr. President, the trade of the world will go where its interest leads it in the long run, and the best avant-courier of civilization is a merchant ship carrying the products of civilization and teaching the wants of civilization.

Permanent dominion over the Philippines by the United States as a part of this country means to me an endless and vast burden upon the industries of our people. We would be as sacredly bound to protect that distant people living under our flag in a part of our territory as we would the people living on the coast of Maine or the people living around Boston Harbor.

In the event of war the most distant outpost where our flag could be found would be the point of first attack, and we would be obliged, in my judgment, to maintain a navy adequate to protect the millions of people in the Philippines, 7,000 miles away, Hawaii, and our Atlantic and Pacific coasts. If our Navy were not adequate to all that, our ships being sent far away, our home coasts would be unprotected. This would involve an awful increase of taxation.

Mr. BATE. When was that speech delivered?

Mr. BACON. February 2, 1899. In the same speech, on page 33—I am using the pamphlet which the Senator himself issued—he used this language:

I can not say, in view of the history of the country, that time may not change my views, but I must say that, as I now feel, if the ratification of this treaty involved permanent dominion by the United States over the archipelago and its people as a Territory of the United States, irrevocably committed us to the policy of territorial expansion, I could not give it my vote.

On page 38 the Senator used this language:

If I may be permitted to repeat, if we take this title we are there as a sovereign. We have the will and the power to enforce law. We will enforce order there. We will establish government there. We will not violate the Declaration of Independence. This treaty will be an emancipation proclamation to the Filipinos, securing in that island all of the great rights which we so prize, and which have been here so much discussed. That we will give them every possible opportunity for self-government I do not allow myself to doubt. I hope the day may soon come when they may have a government of their own.

On page 39 he said:

There is another thing about it, Mr. President. Under this treaty we can give them, when the time comes, the sovereignty and title of Spain. They will have then the possessory right and the title, because, this treaty being ratified, we will possess it; we will have it to cede. We may cede it upon conditions such as at the time shall seem to us best for them and best for us. We may cede it upon condition that their constitution shall contain irrevocable guarantees essential to freedom, to popular education, to religious liberty, to the right of habeas corpus, the protection of life and property; indeed, all the guarantees which American communities under the Declaration of Independence demand.

We can cede it upon condition of the grant to us of adequate naval stations, supply stations, and commercial advantages. And if we have doubt as to the permanent stability and power of their government to stand alone, if we

then feel we cannot safely sail away and leave them to their destiny, we can, in their interest as well as in ours, maintain a protectorate over them with comparative safety, because we can make it a condition of cession of this title and sovereignty to such government as they shall establish that they shall enter into no treaty obligation with other governments without our consent. Without this power we can with safety maintain no protectorate of a government 7,000 miles away, over whose treaty-making power and over whose international transactions we have no control.

Again, Mr. President, the whole matter will be within our own hands. If we find we can not get on with the Filipinos; if, after studying the conditions over there, our people find we can not without strife and intolerable burdens do them any good, we can then cede the sovereignty to them and sail away. We will not be then running away from a responsibility at first sight. We will not subject ourselves to possibly the just charge of cowardice by other nations. We will have left them, then, after having made every honest effort in our power, upon the solid foundation of Spain's sovereignty and title, to help them to benefits which they would not have. We will have attempted to shower upon them blessings which long-continued tyranny has deprived them of the power to appreciate.

Again, on May 22, 1900, the Senator used this language, which shows the view he entertained concerning the annexation of the Philippine Islands, which largely influenced the expressions by him which I have already quoted:

I suppose, Mr. President, it will be admitted that had there been no war with Spain and she had tendered to us "without money and without price" a cession of the Philippine Archipelago, and a treaty accepting that cession had been transmitted to the Senate for its action, it would have received hardly a vote in this body, and would have proved entirely unattractive to the great body of our people. The suggestion in advocacy of it, that we are "trustee" to lead the nations of the earth in the work of civilization, would not have been at all persuasive.

The quick and sufficient answer to that would have been that, while this is a missionary people, this is not and can not become a missionary Government, and that it is not our function, philanthropic as we may be and as this people is, that their Government shall police the world, seeking for people oppressed, living in the darkness of ignorance and half civilization, in order to uplift them.

It would have been said that we have problems of our own to solve, some of them complicated, all of them important, and that the first duty of this Government, trustee of our people, is to subserve the interests of our people, to develop the illimitable resources of this continent, to spread the blessings of education among the people, to give to the country equal laws, and to lift up as far as may be all here who are oppressed. If it had been said that the islands are full of mineral wealth, of untold richness in soil, and of unspeakable beauty, that would have produced no effect in this Chamber.

Our people would not have harbored the thought of going into distant seas and taking archipelagoes of alien people because of the richness of the islands. I can conceive of no argument in favor of the acceptance of such a proposition which would have found much, if any, favor here or in the country.

There would have been found no lust of empire among us; nor is there now, in my opinion, in the sense in which that term is now used in this body and in the country by certain distinguished gentlemen.

Mr. President, I can not pursue this line, but I wish to state that on the 1st day of March, 1900, my colleague [Mr. CLAY] made a speech to the Senate in which he collated and read to the Senate the extracts from speeches of Senators on the other side of the Chamber, in which they all asserted that they did not desire the permanent retention of the Philippine Islands and that they intended to give the Filipinos an opportunity to become an independent people, governing themselves, free from the domination of any other people. Those extracts which I read from his speech are some of them as follows:

The Senator from Ohio [Mr. FORAKER] said:

I do not understand anybody to be proposing to take the Philippine Islands with the idea and view of permanently holding them and denying to the people there the right to have a government of their own, if they are capable of it and want to establish it. I do not understand that anybody wants to do that. I have not heard of anybody who wants to do that. The President of the United States does not, I know, and no Senator in this Chamber has made any such statement.

The Senator from Massachusetts [Mr. LODGE] said:

Suppose we ratify the treaty. The islands pass from the possession of Spain into our possession without committing us to any policy. I believe we shall have the wisdom not to attempt to incorporate those islands with our body politic or make their inhabitants a part of our citizenship. I believe we shall have the wisdom, the self-restraint, and the ability to restore peace and order in those islands and give their people the opportunity for self-government and for freedom under the protecting shield of the United States until the time shall come when they shall stand alone.

He also said in the same speech:

I want no subject races and no vassal States. That we had by the fortunes of war assumed a great responsibility in the Philippines; that we ought to give to those people an opportunity for freedom, for peace, and for self-government.

I want to get this country out of war and back to peace. I want to get the disposition and control of the Philippines out of the hands of the war power and place them where they belong—in the hands of Congress and the President. I want to enter into a policy that shall enable us to give peace and self-government to the natives of those islands. The rejection of the treaty makes all of these things impossible.

The senior Senator from Colorado [Mr. TELLER], while not of the Republican party, voted for the treaty. He said:

There are few people in the world incapable of self-government. I believe the people of Luzon are capable of self-government now. I believe the people of some of the islands are. I do not know but all are. Mr. President, I keep in view this truth which I have stated, which I believe to be a truth, that the people are entitled to a government of their own making, and that we have no right to say, "Your standard is so low you will create a government which we can not affirm; therefore you can not have a government of your own." They are entitled to only such a government as they themselves can maintain; it must be one producing order and protection to persons and property, for otherwise it is not a government at all.

He continued:

We shall make a mistake if we make up our minds that we are going to govern these people from here, that we are going to govern them with Anglo-Saxons whom we send out there from here to administer the affairs of that country. You will need 50,000 soldiers; in a little while you will need more, for they are a great people. They are a people who are willing to contend for their liberty, and I believe it also to be an axiom that a people who will fight for their liberty and who are willing to die for it are capable of maintaining it.

The senior Senator from Vermont [Mr. PROCTOR] said:

I am not in favor of annexation, not because I would apprehend any particular trouble from it, but because it is not a wise policy to take in any people of foreign tongue and training and without strong guiding American elements.

The late Senator from Nebraska [Mr. THURSTON] also said:

I am unalterably opposed to any departure from the declared policy of the fathers, which would start this Republic, for the first time, upon a career of conquest and dominion utterly at variance with the avowed purpose and manifest destiny of our republican Government.

The junior Senator from South Carolina [Mr. McLAURIN] said:

It is idle to speak of Americanizing a tropical country 8,000 miles away. Our people will never consent for the people of that far-off land to ever have a voice in the affairs of our country. Therefore, to govern them we must inaugurate a military or colonial system utterly at variance with the principles of our Republic. But even if by a strained construction of the Constitution the power is vested in the United States to inaugurate a colonial system, I am utterly opposed, as a matter of policy, to the acquisition of any territory that can not be Americanized and brought into harmony with our institutions. I believe the time is not far off, and I gladly welcome its approach, when our flag will float over every foot of North American soil, but it must come naturally and peacefully—by the consent of the governed, not by the rude hand of war.

But when it comes to thrusting our rule upon 10,000,000 people on another continent by force of arms, I hold that such a policy is unwise as well as at variance with the principles upon which our Government is founded. Taxation without representation is as much tyranny as when King George's tea was dumped into Boston Harbor. To govern the people of the Philippines without their consent is as much government without the consent of the governed as it was when we were under the rule of Great Britain.

In a commercial point of view, I believe the importance of the Philippines per se is greatly exaggerated. They are chiefly valuable as the key to the Orient, but we need not colonize to obtain that advantage. The exports of the Philippines, according to the statistical abstract, in 1896 amounted to \$30,806,250. If this entire trade was monopolized by us it would be insignificant. We will have to teach them to wear shirts and breeches before we can trade with them much.

The late Senator from Delaware [Mr. GRAY], a Democrat who voted for the treaty, said:

Now we have them, it does not follow that we are committed to a colonial policy or to a violation of those great principles of liberty and self-government which must always remain American ideals if our own free institutions are to endure. No country, and this country least of all, can afford to trample on its ideals. I have no fear that it will do so.

He went further:

I assure you, with some knowledge of whereof I speak, that the President is committed to no policy calculated to discourage, much less strike down, the aspirations of liberty-loving people all over the world.

Most of the above extracts have been heretofore read in the Senate by different Senators. The object I have in repeating them is this: It is of course impracticable now to discuss in full the questions involved here, and my purpose is not to show that Senators have been inconsistent, but to show that they themselves have in their repeated utterances in the Senate given warrant and approval to the proposition which we now present to the Senate that when the proper time comes, even if that time should be the present, it is the purpose of the United States to give to those people a free and independent government.

Mr. SPOONER. This is not now the proper time.

Mr. BACON. The Senator I hope will take some other time to interrupt me. He knows very well I always yield to him, but I can not do so now.

Mr. SPOONER. I beg the Senator's pardon.

Mr. BACON. Mr. President, it is not necessary for me to tell to the Senate the manner in which I regard the Senator from Wisconsin, because I believe it is known to all the Senate, and the Senator himself knows it better than anybody else; that while we differ upon a great many propositions, the regard which I have for him personally is not inferior to that which I have for any other Senator in this Chamber.

And yet, Mr. President, I am constrained to say that what he uttered here on Friday last was not merely a surprise to me, but a pain, possibly the more, coming from him, than from any other Senator on that side of the Chamber.

Mr. President, when I sat here with incredulous ears hearing what the Senator said, in his earnestness leaving his seat and walking to the center of the aisle, it called to my memory an incident in our early history. Silas Deane, the first diplomatic agent ever sent by the United States to Europe, when he came back to America, feeling that his services had not had proper recognition by the colonies, went to England and abjured the cause of the colonies, and from there issued an address to the people of the colonies in which he advised them to submit to the domination of England.

After the treaty of peace, Jay in England received from him a letter asking that he might have a personal interview in which, he could have an opportunity to explain his conduct. Jay replied

to him that he had been sincerely attached to him; that he had a sincere esteem for him, but said he in his letter, "I understand that you had intimate relations with Arnold, and that you have been frequently in his company, and," he added "the American who gives to that man his hand, in my opinion, pollutes it."

Mr. President, when the Senator's language recalled that incident, the thought came into my mind that if there are any on this side who were worthy of what he said on that day they are not worthy hereafter to be taken by his hand. And I will say to the Senator that his utterances on that occasion were not in harmony with the fairness, the liberality, the generosity, and the consideration which have heretofore characterized his utterances in this Chamber.

Mr. President, heretofore it has been said by those on our side that the position occupied by Senators on the other side was one which would prolong the war, and that the effect of it, therefore, would be to cause additional bloodshed. The opposing thing has been said by the other side as to the position occupied by us on this side. But so far as I know and now recall, it was left for the Senator from Wisconsin to say, as he said, that it was the purpose of those who occupy the position which I occupy, as well as those with whom I am affiliated, to obstruct the operations of the Government in the Philippine Islands, and that they were therefore responsible for the blood which was shed in those islands.

A cause must be weak when recourse must be had to such charges, and it is strange that Senators who are so sensitive to reflections upon them should be so free to make much graver reflections upon others.

Mr. President, it is an unjustified thing to charge that those who differ from the Senator from Wisconsin are purposely endeavoring to assist in the overthrow of the American Army. As I have heretofore said in this Chamber there are in our Army in the Philippines those of my own blood. There are there many who are my personal friends, and the sons of those who stand nearest to me. What is true in this regard is equally true of other Senators on this side of the Chamber. We do not yield to the Senator from Wisconsin in our devotion to the welfare of the soldiers in that Army. We have there our full complement of soldiers, and their welfare is dear to us, and I resent and repudiate the charge made by the Senator from Wisconsin.

One can be in favor of giving freedom to the Filipinos and still be true to the United States and to the American Army. In 1899 I made a speech in this Chamber giving my reasons for supporting the bill providing the Army to be sent to the Philippines, in which I said:

Now, Mr. President, I can not be accused by anybody, or be suspected by anybody, of favoring the annexation of the Philippine Islands. I can not be thought to favor anything growing out of this annexation or of anything made necessary by such annexation. I can not be considered as in any manner responsible for anything which has led to the annexation of the Philippine Islands. I can not be understood for a moment as favoring the retention of the Philippine Islands.

If I had my way, before we adjourned this night I would pass a resolution saying to those people, be free! And I would do it immediately; not only because they are entitled to be free, but also mainly because of the influence which that would have upon our own people and upon the most cherished institutions and principles of our own country.

Mr. President, no one is more extreme, I admit it, on that question than I am, and therefore it is from the standpoint of one occupying that extreme position that I propose to give the reasons why I conceive it to be my duty to vote for this bill.

There could be no stronger expression of a desire to give freedom to the Filipinos than I thus expressed, and yet in the same speech I took the position that it was my duty to support the Government so long as it was by legal authority prosecuting the war. And that speech, Mr. President, has been more than once applauded on this floor by the Senator from Wisconsin. Nor is that all. While I believe it to be the interest of this country to withdraw from the Philippines and give freedom to the people, I have never failed to urge that under existing conditions that result could be accomplished only through the success of the American Army and the full recognition of American authority. I had the opportunity in September last to say that in a public speech in the Philippine Islands, a speech which was translated to the audience sentence by sentence as delivered, and which was reported at the time and published in the Philippines, and which, I ask, may now be read by the Secretary.

The Secretary read as follows:

[Excerpt from the Manila Times, Philippine Islands, September, 1901.]

SENATOR BACON'S SPEECH, NUEVA CACERES, DISTRICT OF THE CAMARINES, P. I.

Senator BACON expressed for himself and the representatives who were present a most cordial appreciation of the warm welcome and generous hospitality which had been extended to them by the people of Nueva Caceres. He said he trusted that he was not mistaken in the hope that in the near future there would be the most friendly relations between the American people and the Filipinos. What he had seen of the Filipinos had largely increased his interest in them and had intensified his desire to do all in his power to aid them in the effort to become a peaceful, a prosperous, and a happy and a contented people. After continuing for a little time upon this line of thought, he said:

"I regret that I can not speak Spanish and that I have been unable to

understand what has been said here to-day by the distinguished Filipinos who have addressed us. In consequence, I can not make what I now say directly responsive to what they have said. There is, however, one thought that I wish to impress upon the Filipinos, not only here but to all of them throughout these islands. It is not only a thought, but a fact, that the happiness and the prosperity of this people can not be restored until there is perfect peace in these islands. So long as there is resistance to the authority of the United States it is impossible for the Americans most friendly to them to accomplish anything for them.

"The American people as a whole are a liberty-loving people. It is not in their hearts to desire to oppress any people anywhere in the world. In their hearts they desire all men to be free and to enjoy personal and political liberty. There are different ideas in America as to what is best to be done for the Filipinos; but while Americans differ among themselves as to what is best to be done and how it should be done, they all, speaking generally, want to do good for the Filipinos. As long, however, as war lasts in these islands, it is difficult for the Americans to do what they wish for them. War naturally and necessarily produces strong feeling not only here, but in America, and while the war lasts, even though there be only a little of it, the American people are thinking more about the war than they are about what shall be done in the future with the Filipinos and for the Filipinos.

"When it is proposed in Congress to determine what shall be done for the people of these islands, the answer is that nothing can be done and nothing can be finally determined for them as long as war continues in the Philippine Islands.

"Therefore," continued Senator BACON, with emphasis, "it is that I say that the best interest of the Filipinos requires that there should be perfect peace here, and that the authority of the United States should be undisputed in the Philippines. There is no more important thing that I can say to you and to the Philippine people, and I say it as one who has been and is their sincere friend and well-wisher."

Mr. BACON. I will simply say that I believe that to be the position of the Democratic party, and I not only said it in that speech but in every opportunity I had to speak to the Filipinos.

Mr. SPOONER. The Senator will permit me to say that is the position of the Democratic party over in the Philippines, but not here.

Mr. BACON. Yes, it is here also. The Senator misrepresents the Democratic party and myself also.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. CLAPP. Mr. President, from the speech of the Senator from Georgia [Mr. BACON] it appears to be the belief of the Democratic party that while war is being waged on the American flag the American people think more of the conclusion of that war than of the details to follow. If this be true, why does not the Democratic party come over and help us first to put out this fire and end the war?

Mr. President, if this discussion had been limited to the question of a tariff in the Philippine Islands I would not have presumed with my short service here to have spoken upon the subject. But it has taken a broader range. It has ranged to the extent of attacks upon our Administration, of slurs upon American soldiers, of sneers at American manhood and womanhood engaged in the Philippines in the laudable purpose of educating the people of those islands; and on behalf of the loyal and patriotic constituency through whose confidence I occupy a seat in this Chamber I desire to enter a protest against the conduct of this debate.

If we were actuated solely by a desire to gain partisan advantage, we might well welcome a continuation of the debate, for, as the Senator from Georgia [Mr. BACON] so well said, while war is waged upon the American flag the American will think more of that war and the methods of disposing of the war than of any other question which may grow out of its conclusion. But, sir, we have a higher duty than to sit here and to gain an advantage for partisan benefit by a controversy of this character.

Mr. President, this debate has taken a wide range, and yet the Democratic party stands concluded here by the very amendments which they have offered to the bill. Whether we refer to the substitute offered by the minority of the committee or whether we refer to the amendment offered by the Senator from Georgia, in either case it is a concession of every single thing that has been done or is being done to-day in the Philippine Islands. The only issue left is whether or not, at this time, we should give forth a promise as to what we will do when the war ceases. Both this substitute and this amendment provide that this war shall and must be waged until peace comes; and the only issue left in this debate is as to whether or not we are at this time prepared to make these promises.

I want to remind the Senate, while it may be a delicate subject, that to-day, as we look back into the inception of the Spanish war, the only mistakes that we have made which have embarrassed us have arisen from the fact of our making promises and presenting policies before we had reached a point where promises ought to be made or policies formulated.

They tell us to-day that we are drifting hither and yon without any guide, without any compass, and without any rudder. We are not drifting; we were not drifting when we lifted the hateful, palsied hand of Spain from Cuba; we were not drifting when we relieved the Philippine Islands of Spanish rule. When we went to the Philippines we went there for the establishment and inauguration of law.

Senators draw a comparison between our position and that of

ancient nations. No such comparison can be drawn. This is the first instance in the history of this great world when a free government entered upon the discharge of duties of this character. We may turn to history in vain for a precedent and a guide. But we have one guide that is as unerring as that of the pillar of cloud by day and the pillar of fire by night which guided the Israelites in their journeyings through the desert. That guide is the wise, practical patriotism of the American people.

Mr. President, this policy is confronting us to-day, whether we shall turn every political agitator in the Philippine Islands loose to claim that they have reached the time when they can avail themselves of the benefit of that amendment, if it shall pass, or whether we shall, which is infinitely better, it seems to me, await the development of that policy initiated by the wise and cautious McKinley and administered through the sturdy patriotism of President Roosevelt.

Mr. WELLINGTON. Mr. President, I entered upon this debate reluctantly, and I assure the Senate that I would not again have transgressed upon their attention in the closing hours of this debate, but the junior Senator from Maryland [Mr. McCOMAS], my colleague in the Senate, has seen fit, in the fifteen minutes which were given to him to discuss the Philippine bill, to make a personal attack upon me and to endeavor to cast by imputation and by direct assertion doubts as to the truth and veracity of a statement that I have made not only upon one occasion, not only upon two occasions, but upon many occasions, and the Senator from Maryland has given an evidence to this Senate that his memory is not as good as mine. His recollection does not serve him well. Either he is so ignorant of what is in this controversy that he should not presume to speak upon it, or has by mistake, or willfully, said that which is untrue concerning this matter.

Sir, he says that the first time I made this charge was in my own home, at Cumberland, when I addressed a meeting of my fellow-citizens upon the occasion upon which I gave to William J. Bryan my adhesion during that campaign. He says that was the first time I uttered anything concerning this matter. If he had read that speech, he would have informed himself better, because, sir, in the Senate of the United States, six or seven months at least before I made the speech in Cumberland, I introduced a resolution embodying, as I reiterate to-day, the promises and conclusions which the President made upon the occasion of my interview. I presented that resolution to the Senate, and two days later I addressed the Senate of the United States upon that resolution. I then stated the matters and facts as I stated them in Cumberland and as I have given them since. It was not new; it was not something that had been conjured up by me between times.

The Senator said that I had received no message that the President desired to see me. That, again, is untrue. I did receive from the President of the United States, through a channel that I believed could represent him, a message that he would be glad to see me and talk over this matter with me.

I desire to say, Mr. President, that when I went to see the President of the United States my colleague was with me, but he did not hear the conversation. He was not then, as I recollect, a Senator of the United States, though he had been elected. When the interview came to a conclusion, the President and myself were at one end of the room and my colleague was standing by the window, where he could not hear, so he can not speak with knowledge upon this subject.

I reassert to-day that the President upon that occasion did make the promises of which I spoke in my speech during last week. I reiterate them here, and I desire to say now what I have said upon many occasions when I addressed the people of the United States outside of this Chamber. I have said to them that I believed that the President of the United States meant to carry out his promises when he made them, but by the sinister and malign influences which surrounded him he was gradually taken away, and that he did drift, drift, drift. But, sir, I do not stand alone in this matter. You dare not try to impugn my veracity without impugning that of another Senator of the United States. I will go further now, and I will say that the same promises were made to another Senator of the United States, and he is upon the floor now, or was. They were made to him as they were made to me.

Sir, I was not mistaken. There can be no mistake, and there must be no equivocation upon the part of the Senator from Maryland in this matter. He speaks of putting off declarations. Why did he not answer that charge during the last Presidential campaign? He did not do so. Why I know not, but he did not. He waited until he could hide behind the rules of the Senate, and then attempt by imputation to make such a charge.

Sir, in the resolution I introduced in January, 1901, I recited, in the language as best I could of the Chief Executive himself, his ideas and his determination.

The Senator talks about the Constitution and intimates that I ought to have known that the power of dealing with the Philip-

pines rests with Congress. Sir, I have read the Constitution, and perhaps know as much about it as the junior Senator from Maryland, though I am a layman. I have read it, I have studied it, and I believe I know somewhat of its spirit and its intention; but, sir, the Constitution has not been taken into account in this matter. You know that war in the Philippines was declared outside of the war-making power by the President; you know that it has been continued since outside of any action of Congress, except that by which we were made to give an army. You may talk about the Constitution, but that does not alter the result. I was looking toward the man who stood at the head of the Administration; I was looking toward the man who alone stood responsible for our conduct in the Philippines during the interregnum of the sessions of Congress.

Then the Senator does me the honor to refer to another conversation that was had with the President of the United States, in which he says that somebody else said that I then and there promised adherence to the President's policy. He says that General Agnus, of Baltimore, and myself called upon the President, and that in his presence I made such a declaration. The Senator is giving what somebody else said.

What is the truth concerning that visit to the President of the United States? The truth is that General Agnus and myself visited the President of the United States to ask him to endeavor in his policy of dealing with the Navy Department to give justice to Admiral Schley. That was the reason of my visit, and the whole conversation hinged upon that matter. Upon that day the President expressed his admiration for Admiral Schley, but said he could not do what we asked him to do. That is the whole of that matter.

Now, Mr. President, it is not my intention to detain the Senate longer upon this matter, but I will say this in closing: I desire to be within the rules of the Senate; I desire to say nothing that shall go outside or beyond them; but, sir, I will say this: If my colleague will at any time outside of this Chamber say that what I have said is not correct, then I will tell him what I must not say now in this Chamber because of Senatorial dignity and because of parliamentary law, that he utters a cowardly and malicious falsehood.

Mr. HOAR. Mr. President, I call the Senator from Maryland to order.

The PRESIDENT pro tempore. The Senator from Maryland will take his seat and the Senator from Massachusetts will state his point of order.

Mr. HOAR. My point of order is that it is not in order, in a body where the courtesies of debate are the law, to say that an insulting expression would be made against another Senator outside if he should repeat something he said here.

The PRESIDENT pro tempore. The Chair sustains the point of order made by the Senator from Massachusetts.

Mr. ALLISON and Mr. WELLINGTON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Iowa.

Mr. ALLISON. Mr. President, I had not intended to mingle in this debate, and do not intend to do so now, except to state, in as brief words as I can, why it is that I give my support to the pending measure.

I had hoped when this measure came into the Senate that whatever debate there might be upon the general question of the Philippines would be postponed until the questions which have been discussed in this debate should come regularly before the Senate; but it seems that by means of the substitute introduced by the minority of the committee the whole subject of the Philippine Islands has been brought into the debate on the bill and the substitute.

Mr. President, I had supposed that there were several things which had already been settled by former debates and votes in this Chamber. I learned from the Senator from Washington [Mr. TURNER] this morning and in his speech the other day that at the time we captured Manila, and later, the Filipinos had an established government in the Philippine Islands. Why, Mr. President, nothing is further from the truth than that statement. There never was up to the time of our capture of Manila any semblance of an independent government in the Philippine Islands, except a government on paper. There were pronouncements without number issued from the headquarters of Aguinaldo, but they had nothing of the form or semblance of an organized government.

Aguinaldo came into the islands on the 20th day of May. He began his proclamations, I believe, on the 6th of June, and continued issuing them on the 18th of June, on the 23d of June, on the 24th of June, and so on, day by day, without consultation, so far as the record discloses, with the people of those islands, or even with the people of the island of Luzon. Therefore it was that when we captured Manila he had no status in those islands worthy of the name of the head of a government. He was not recognized as such by any public officer in those islands.

But the capture of the city of Manila put the United States in a singular position respecting that country. Not knowing at that time, as General Merritt did not know, of the protocol, which had been signed the day before, he captured the city of Manila, with practically the entire Spanish army; and although the protocol confined the possession of our Government to the city and bay of Manila until the final treaty should be signed, we captured at Manila as prisoners of war practically all the forces in the Philippine Islands. Then is it to be said that the roaming over those islands or provinces by little bands of Filipinos constituted a government or the possession of those islands? That has been thrashed out in this Senate over and over again, and by the judgment of the Senate it has over and over again been decided that Aguinaldo and his followers had no status in the form of any government whatever in the islands when we captured Manila. That is number one.

Now, as to the second proposition. It has been reiterated here to-day that we began war upon the Filipinos. It is as well known as any other fact in the history of this transaction that Aguinaldo and his followers began war upon the United States early in October of the year 1898. They began with the forces they had, and we could not impede those forces because by the protocol we were confined to the city of Manila. Therefore Aguinaldo, knowing of this protocol, and not being our ally, occupied a position with his forces and commenced fortifying and surrounding the city of Manila with his army, and when notified by General Otis that he was committing acts of hostility, he still went on. So that when it is pretended here—honestly and sincerely, I have no doubt—that Aguinaldo was our ally, the facts are that Aguinaldo was our enemy before the capture of Manila in August, 1898.

Therefore, although it is said that we made war outside of the Constitution, the fact is we were within the Constitution of the United States, certainly so after the ratification of the treaty, when we resisted the rebellion and authority of the Filipinos in their insurrection against the United States.

Mr. President, these are some of the facts, and they were not seriously controverted in the early debates. It is true they were alluded to, but the matter has been settled and disposed of, first, by the ratification of the treaty, and next by a unanimous vote of this Senate to give the President of the United States a hundred thousand men to put down this rebellion. Why was that done by our friends on the other side if they thought that we were making an unconstitutional and an unjust war against a free people? No, Mr. President, all these questions have been practically decided. They may be debated historically, as the Revolution can be, but they have been practically decided, and the discussion which has taken place has not been pertinent to the questions now under consideration.

The question with us now is whether or not we shall go on and establish there, as all agree there should be established there, a free government, a stable government, one in which the people of those islands shall have participation, so far as they are capable of participation, or whether we are now to make some promises which are to be vaguely fulfilled in the future.

We have heard here quotations from our treaty with Mexico to the effect that we promised the inhabitants of the territory taken from Mexico statehood, yet they have been fifty-four years without it. Fifty-four years have passed, and the great part of the territory taken from Mexico under that treaty of peace still remains outside of the promise which we made so long ago. Therefore what boots it that we should make a promise now that the Filipinos shall have statehood when another generation of men, or two generations of men, are to follow us here in the Senate before there will be any necessity, according to precedent, to fulfill that promise.

So, Mr. President, in my belief and judgment, it is wiser and better for us, as it is wiser and better for the Filipinos, that we should go on doing the best we can to secure a good, stable government for them; and, for one, I want to thank the Senator from Georgia [Mr. BACON] for his manly, frank statement to those Filipino people, that nothing could be done here in the United States as respects their condition or their status until they laid down their arms and submitted to our authority. As is suggested to me by the Senator from Wisconsin [Mr. SPOONER], that statement was made in the English language, but it was in such form that they understood what he meant; and yet now, after a period of six months, we are told here that we are responsible for all that has been done or is being done in the Philippine Islands, when it turns out that the leader of the Democratic party on that side of the Chamber told those people the plain and honest truth, that nothing could be done until they laid down their arms and submitted to our rightful authority.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator has but two minutes more.

Mr. ALLISON. Mr. President, I desired to speak for a minute or two upon the subject of statehood for those islands, but I will

use those two minutes in saying that, according to the testimony of Governor Taft, whom we all believe and all respect, the islands are now practically in a condition of peace, except a rebellion in four islands, and that rebellion in one of them is confined to 200 insurgents in Samar, who live in the mountains and come down into the valleys at recurring intervals. Not only is that island peaceful, but it is so peaceful that the teachers whom we sent there to educate the children in those islands go unmolested in 34 of those provinces and without hindrance; the children attend the schools, and the teachers, men and women, are permitted to go through those islands without military escort and without interruption.

So that, according to the testimony of Governor Taft and all of the concurring surroundings, the war in the Philippines is practically ended, and we are establishing there not a despotism, but we are establishing there a free and just government, giving to the people of those islands all the participation therein of which they are capable as respects the character of that government.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CLAY. Mr. President, we have had two speeches, one from the junior Senator from Iowa [Mr. DOLLIVER] and one from the senior Senator from Iowa [Mr. ALLISON], this morning. The junior Senator made a severe indictment against the Democratic party. He charged that the Democratic party was disloyal to the Army and that the Democratic party had spoken, during the debate, with irreverence toward our dead President.

I challenge the Senator to point to a single instance where any Senator on this side has been disloyal to our arms. I go to Georgia. She is a Democratic State. Her quota of soldiers in the late Spanish-American war was 830, and she furnished 1,027. Iowa's quota was 830 and she furnished about 400.

The Senator also said that the Senators on this side of the Chamber have spoken with irreverence in regard to our dead President. We have differed with President McKinley on political questions, but I dare say that no Senator on this side of the Chamber has spoken of him except with the highest respect, and while we in Georgia differed with him, we honor and revere his memory because he was a good man.

We are assaulted by the junior Senator from Iowa [Mr. DOLLIVER] because, as he says, we were disloyal in supporting the Army, and the senior Senator from Iowa [Mr. ALLISON] comes forward, and what does he say? He assaults Democrats on this side of the Chamber because, forsooth, we have voted for every single appropriation bill supporting the Army. The charges are inconsistent. The Democratic party has felt it to be its duty while we were in war to stand by our Army, and we have stood by them bravely and courageously from the beginning to the end.

Mr. President, I am not a bitter partisan. I am a Democrat, but I always respect the views and judgment even of those who differ with me. I never question their honor or their integrity. Three times to-day have I heard it charged on this floor that the Democratic party is in favor of pulling down the flag and taking our Army away from the Philippine Islands, and I have heard it charged against the minority that we are in favor of pulling down our flag and getting away from the Philippine Islands at once. The charge is false. When we had the treaty before us and were trying to ratify it, and before it was ratified, we endeavored to get a declaration of policy from both Houses of Congress in favor of a policy looking forward to the ultimate independence of those people, and that would have kept down war.

After the treaty was ratified there was a resolution introduced looking to their ultimate independence, but there was not one word said about pulling down the flag. The Democratic party has not been in favor of leaving the Philippine Islands until a stable government is established there, but we have been in favor of saying to those people, "Lay down your arms; submit to American authority and American sovereignty, and then we will treat you fairly and give you the right of self-government."

Take the report of the minority here—and I have read it; I have it before me. I see it constantly charged in the press that the Democratic minority were in favor of pulling down the flag and getting away from the Philippine Islands, leaving them in anarchy. The Democratic minority report does not provide for any such thing, and the charge is false from beginning to end.

Let us see what the Democratic minority do say. Let us do the Democratic minority justice. I do not say that we on this side of the Chamber have all the patriotism, but we love our country and we are as loyal to the flag as are you on the other side of the Chamber. I do not say you are dishonest. You see it in one way; we see it in another. We believe that the policy we have advocated from the beginning to the end would have saved the lives of more than 4,000 American soldiers and the expenditure of more than \$350,000,000, and would have saved the lives of 40,000 Filipinos, and that peace would have reigned from the time the treaty was ratified to the present moment. What does the Democratic minority say?

That the United States shall continue to occupy—

Now listen—

and govern said archipelago until the people thereof have established a stable government and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain for the safety of those inhabitants who have adhered to the United States and for the maintenance and protection of all rights which have accrued under their authority.

That as soon as these results have been accomplished, it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants.

That is the report of the minority. I was amused at my friend the Senator from Wisconsin [Mr. SPOONER], for if there is any member of this body for whom I have high respect it is he. He is not only fair as a general thing, but he is a man of more than ordinary ability. He stood here the other day and arraigned Mr. Bryan and arraigned the Democratic Senators who voted in favor of the ratification of the treaty, and turned around and said we were absolutely inconsistent. I hold in my hand the speech he made in favor of the ratification of the treaty, and I also have the speech of my friend the junior Senator from Massachusetts [Mr. LODGE]. The junior Senator said—if he does not recollect it I will read it, but I do not want to take up the time—"ratify the treaty; get rid of the sovereignty of Spain, and then we will take up the Philippine problem in Congress and solve it and gradually give them an independent government."

Now, when Senators who voted in favor of the ratification of the treaty turn around and say, "Let us do that," then the Senators charge that we are keeping up the war in the Philippines.

Not only that, but the Senator from Wisconsin, in one of the ablest speeches that has been delivered in the Senate and one in favor of the ratification of the treaty, stood here, Mr. President and Senators, and declared that we did not have time to deal with the question before we ratified the treaty. "Ratify the treaty," said he, "do away with the sovereignty of Spain, and then we will have the problem all to ourselves, and Congress will take it up and immediately solve it and grant to them self-government, and then will be the time to act." That is what Mr. Bryan said.

Mr. Bryan has been viciously assaulted and those of us on this side of the Chamber who voted in favor of the ratification of the treaty have been told that we are inconsistent. I deny that I have been inconsistent. I voted in favor of the ratification of the treaty, and my colleagues on this side of the Chamber, men with experience in the Senate, beseeched me not to do so, but as a brave man, believing that it was best to do so, I did what I thought to be my duty, announcing at the same time that I favored legislation looking forward to the independence and self-government of those people.

In voting in favor of the ratification of the treaty I never believed and I do not believe now that I am estopped from voting for every movement looking toward an equitable solution of our troubles in the Philippine Islands, gradually giving to those people independence and self-government.

I have read with a great deal of interest our history since we have been in the Philippine Islands. I am not prepared to say that every time our Army officers have been charged with improper conduct the charges are true, but I am prepared to say here to-day that I have read the history of those people, I have read the history of our relations with them, and I believe to-day that they love liberty and they love self-government; that they have a pride in building up a nationality of their own just like we have. Do you know, human nature is the same the world over. The Anglo-Saxon loves home, justice, liberty, and self-government. So do these people.

I believe there was a time in the Philippine Islands, before we ratified the treaty and even since we ratified, when we had 10,000,000 friends in those islands. I believe that by a conservative and a wise course we could have kept their friendship. We could have dealt with them as friends. We could have avoided this war, and we could have solved the Philippine problem in a better way in peace than in war. At the time when we took the city of Manila and a week before throughout the length and breadth of the Philippine Islands there was nothing but friendship for our people. It is a fact which can not be disputed that wherever an American soldier or an American citizen went in the Philippine Islands he received a hearty welcome at the hands of the Filipinos.

I know it will not do to talk about the past. I am ready to help solve the future in a patriotic and broad sense. I would reverse our position and say to them, "Lay down your arms, acknowledge the sovereignty of the great American Government, and then we will deal with you in the spirit of justice, and so soon as you can form laws and a constitution and put them in operation, submitting them to us in order to let us see whether they are just and wise, you shall have your country; all of your private land." I am not prepared to say that in the solution of this question we shall surrender all of our rights to the people of those islands. I am not only willing to do justice to the Philippines, but I want to do justice to the American people.

There are 63,000,000 acres of vacant land in the Philippine Islands that once belonged to the Kingdom of Spain. The question what we shall do with it and whether or not the Filipinos shall pay us a reasonable sum for it to cover the legitimate expenses to which we have been put must be dealt with by practical statesmen and in a business way. There are many questions that will arise in the future in the Philippine Islands which I can not now discuss, but I tell you the mistake we made was in not declaring the policy we intended to pursue. We ought to have shown to them that the American people are in favor of justice and in favor of liberty everywhere.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. HANNA. Mr. President, it is not my purpose to enter into this discussion either upon the tariff or the political phase of it; but I can not permit an incident which has just occurred to pass by without making a remark. With respect to the differences between the Senators from Maryland, and so far as personalities are concerned, I have nothing to do or say. But inasmuch as that difference, if settled at all, could only be settled by lips closed in death, I do propose to say that in that contention, without regard to what one or the other may have understood or believed, I resent, in the name of the American people, the statement made that a promise given by our dead President was unfulfilled. [Applause in the galleries.]

The PRESIDING OFFICER. The Chair admonishes the occupants of the galleries that it is in violation of the rules of the Senate to manifest either approbation or disapprobation, and if it is repeated the Chair will order the galleries to be cleared.

Mr. HANNA. I am willing to admit that a misunderstanding with respect to an interview or words used may have occurred, but it needs no further evidence than the character and career and policy of President McKinley to answer a charge brought here that either intentionally or otherwise he left unfulfilled a promise made. It is not possible. I desire to leave it there. It must have been a misunderstanding, or else, in the name of the American people, I leave on record my protest against the statement made.

Mr. RAWLINS. Mr. President, I do not rise for the purpose of making a speech. In behalf of the minority of the Committee on the Philippines I wish to invite the attention of the Senate to a proposed modification of the proposition submitted as the minority report of the committee. At the time the report was made we had not yet received information as to all the laws which had been passed by the Philippine Commission. At that time we were unaware of the enactment of what is known as the treason and sedition laws, which have since been the subject of considerable discussion in the Senate. The minority of the committee were of the opinion that it would be a proper thing to do to continue in force the laws in relation to the government of the islands as they exist at the present time, and we did not presume that the eminent men who have been sent to the Philippine Islands for the purpose of temporarily exercising the authority of the United States in those islands would enact measures other than such as would be reasonable and proper, tending to the peace and welfare of the islands.

So, Mr. President, this language was inserted in the minority report:

That until the people of the islands shall establish a government, as hereinafter provided, all laws, rules, and regulations now in force for the government of the islands and the raising of revenue therefor shall be in force except as the same may be in conflict with this act.

In view of the developments which have been made since the presentation of the minority report it is proposed to modify the minority report by striking out the language which I have just read. Speaking in behalf of the minority of the Committee on the Philippines which made this report, I ask that the amendment I have offered, constituting the report of the minority, be modified by striking out lines 18, 19, 20, 21, and 22.

The PRESIDENT pro tempore. The Senator from Utah asks that the amendment submitted by the minority of the committee be modified as will be stated.

The SECRETARY. It is proposed on page 2 to strike out all of lines 18, 19, 20, 21, and 22.

The PRESIDENT pro tempore. The Senator has a right to make the modification.

Mr. LODGE. I ask that the words may be read, because the paging is different in some prints of the bill.

The PRESIDENT pro tempore. The words stricken out will be read.

The Secretary read as follows:

That until the people of the islands shall establish a government, as hereinafter provided, all laws, rules, and regulations now in force for the government of the islands and the raising of revenue therefor shall be in force except as the same may be in conflict with this act.

Mr. HOAR. How will that leave the amendment?

Mr. CULLOM. I should like to have the substitute read as it now stands.

The PRESIDENT pro tempore. Will the Senator from Utah allow the amendment to be read in his time?

Mr. RAWLINS. Certainly.

The PRESIDENT pro tempore. The amendment as modified will be read.

Mr. HOAR. I should like to have it read as it will stand after modification.

The Secretary read as follows:

Be it enacted, etc., That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

That from and after the passage of this act said archipelago shall be foreign territory, and all goods entering the United States therefrom shall be subject to the same duties, customs, and imposts as are now, or may hereafter be, prescribed by law for goods entered from other foreign countries: Provided, That during the temporary occupation of said islands, as herein-after provided, all trade between the same and the United States shall be free.

That the United States shall continue to occupy and govern said archipelago until the people thereof have established a stable government and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain for the safety of those inhabitants who have adhered to the United States and for the maintenance and protection of all rights which have accrued under their authority.

That as soon as these results have been accomplished it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants of the same, retaining only such military, naval, and coaling stations as may be designated by the Government of the United States.

Mr. RAWLINS. Mr. President, the purpose of the amendment of the minority report is manifest from its reading. The design is to carry into effect the purpose which has been expressed by many Senators upon both sides of the Chamber at various times in the history of our relations with the islands. When the people there have established a stable government, a government suited to them, a government which they are capable of administering, and upon securing the guaranties which are provided for in the amendment, the proposition is upon the part of the United States to withdraw from the islands and leave the government to the inhabitants thereof. Mr. President, a distinguished educator, the chairman of the first Philippine Commission, has declared that any decent sort of government of Filipinos by Filipinos is better than the best possible government of Filipinos by Americans.

It has been claimed that if we leave the islands the government there will be an oligarchy. For myself—and I think in that regard I speak for the minority upon this proposition—if there is to be an oligarchy in the islands, ruling it, we prefer that it be not the creation of the American Republic. To-day we have there an absolute form of government, with all power vested in the hands of a single individual, the President of the United States, and such persons as he may select; and those who are prescribing the policy of this government—you of the majority—are not prepared to make any declaration as to the future of the islands, but you leave the question to be determined some time in the future, not proposing to deal with it at present.

Mr. President, there is nothing unpatriotic in the proposition presented by the minority. It recognizes the authority of the United States so far as that authority lawfully extends. It concedes to Congress the power of making such disposition of the islands as it may deem proper in exact accordance with the decision of the highest judicial tribunal in the land. It does not propose any assault upon the American Army, but it proposes to say to the Filipinos, "Your aspirations for free government shall be accorded upon the conditions which are prescribed in this proposition."

Mr. President, with respect to those on the other side who, in their frenzy to-day, impute improper motives to Senators on this side, I will say that I believe their hearts are better than their tongues, and that they have no faith in the proposition which they present for political effect. Senators upon the other side, as well as upon this side, know that this is a legitimate proposition, one that may be patriotically espoused by the people of the United States; and many of you, I have no doubt, although your votes may not be recorded in accordance with your belief, believe that if the proposition of the minority were adopted, it would be best for the people of the United States as well as best for the people of the Philippine Islands.

Mr. President, we have had war and bloodshed there. What have we done in the past three years, asks the Senator from Nevada [Mr. STEWART]? What have we accomplished there? General MacArthur says we have exterminated one-sixth of the natives of Luzon; the Philippine Commission say we have destroyed hundreds of public buildings and thousands of private residences. We have over there a picture of desolation, if your eyes could reach that far and view it.

Mr. President, we have accomplished nothing for the benefit of the islands there. The condition there is so intolerable that language is inadequate to describe it, and what has taken place, if you continue the same policy, is likely to be augmented and multiplied in its distress and disaster in the future.

We stand for the flag and for the Constitution. We say bring back our sovereignty where it can be under the protection and guardianship of our Constitution. You propose to send it away where it shall be unrestrained despotism. You can not answer our facts, you can not respond to our arguments by attempting to feed on the cadavers of dead heroes and bringing forth the remains of Lawton or any other soldier. They are our generals and they are our soldiers, and we will respect their memory and will uphold their honor as well as you. Speak not with impudence to a large class of the American people who are as much filled with patriotism, who are as true to the interests and the welfare of the institutions of this country as you can possibly be.

Mr. President, you upon that side will not deter any true American citizen from expressing his opinion in reference to any political question that may arise, and which shall be legitimately before the people or the Congress of the United States for their solution. To question our attitude is an evidence of cowardice on your part, because if our facts are not true and our arguments are unsound, meet our facts and respond to our arguments and do not assault our motives. When the Senator from Wisconsin undertakes to impugn the motives on this side he does injustice to himself. He does not rise to the stature of an American Senator and he does not typify the spirit of American institutions.

Mr. President, this proposition we present to you in all fairness. You have a right to vote against it, as you will. We have a right to support it, and our votes will be cast in accordance with our best judgment and our honest convictions. Then we have a right to go to the tribunal of the great American people and ask them to decide whether you are right or whether we are right.

Mr. FAIRBANKS. Mr. President, after having spoken at length upon this subject on Saturday evening, I did not intend again to claim the attention of the Senate, but some things have been said during the course of the debate to-day that have moved me to trespass a few moments further upon the time of the body.

The question before us is a simple one. It is a plain one. It is one about which there should be aroused no personal feeling, no personal resentment. Here in this august assembly of the American people is no place for other than deliberate words—words of counsel, words of reason, words of patriotism in the highest and the fullest sense.

We face great responsibilities that have come upon us unexpectedly, and it is for us to rise equal to the occasion and meet the demands as American patriots should meet them. We face conditions which are the legitimate and natural outgrowth of a war; not a partisan war, but a war of all parties, a war of the American people; not war for conquest, not war for the extension of the domain of the United States, not war to gratify the commercial spirit, but war waged in humanity's name by one of the greatest and wisest and best patriots this country has ever produced.

Sir, those who are here remember how anxiously President McKinley sought to avert war. They know full well how day in and day out, week in and week out, he devoted all of his great powers, his genius, and his lofty statesmanship to settle the difficulties in Cuba by an appeal to the reason and justice of Spain. All of his efforts proved unavailing, and war came. When it came, it was his duty as the Commander in Chief of our Army and Navy to strike down Spanish power wherever it was established.

One of his first acts after he received the high commission of the American Congress to make war was to send a message across the Pacific to a brave commander of our Navy then stationed at Hongkong. It was a brief message, yet it changed the destiny of an empire. It was a brief message, yet it changed the destiny of a republic.

Fortunately the message fell into the hands of a naval officer of the United States intelligent enough to interpret it according to the will of the American people, and brave and courageous enough to execute it according to its intentment. That message was, "Find the Spanish fleet; capture or destroy it," and in one brief hour, in the bay of Manila, there was born among the great naval heroes of the world George Dewey.

Mr. President, then came Santiago and the treaty of peace at Paris, and that treaty of peace was sent to the United States Senate for its ratification. We ratified it, and it thereupon became the supreme law of the land. Under it Spain ceded to the United States, among other property, the Philippine Archipelago, and under that cession it became the duty of the United States to establish peace and good order in the Philippines. Spain's power had forever been destroyed and overthrown in those islands in the distant sea.

Some of our friends upon the opposing side said that Dewey should have left Manila after he had broken down and destroyed the Spanish fleet. No, Mr. President, he could not have left Manila. Why? Because it was his duty, as it was the imperative duty of the United States, to hold anarchy in check in the Philippine Islands, and to preserve life and property, which were

placed in serious peril by the destruction of Spanish authority and power.

Mr. President, our course in the Philippines has not been imperialistic; it has not been harsh; it has not been tyrannical; it has been the exact contrary of all this. President McKinley undertook through commissions of eminent and patriotic citizens of the United States to substitute for the war power the ways of peace, and to accomplish through the commissions a peaceful settlement of the insurrection in the Philippine Archipelago.

Mr. President, it has been from the beginning of our occupancy, and is now, the duty of the United States Government to compel recognition of American sovereignty and American authority in the Philippines. This has been our imperative duty, a duty which we could not avoid or evade without absolute national dishonor. We must hold to the doctrine, without varying or turning aside, that the rightful sovereignty of the United States, whenever it is challenged, must be upheld against all comers. Who is there with a sensitive regard for the prestige and good name of his country that would consent that his Government should do less than this?

Have we done nothing in the Philippines of which we may be proud? The catalogue of our achievements there is vast. We have accomplished much toward the advancement of an ignorant people in the ways of a higher civilization. No other government than ours has in its beneficence accomplished so much in lifting up an unfortunate people to a higher plane. We have counted no effort too great to win those people to the ways of tranquillity and to educate them in the principles of republican government.

Shall we leave half done an undertaking self-imposed? Shall we turn over the Philippines to disorder and to become the prey of rapacity of other powers? Shall we withdraw our sovereignty and perhaps thereby disturb the international peace? Have we done nothing in the Philippines except that which deserves censure? Is there nothing done in the islands of which we may be proud? What we have done signalizes our Government as one of the most just and humane governments of which there is record; and every American should be filled with pride because of what we have accomplished in the name of justice and for humanity.

Sir, the moral forces of the United States have been back of the Republican party in carrying forward our exalted and self-appointed task, and they will sanction no base abandonment of it, or any wretched and cowardly surrender of our authority at the dictation of those insurrectionists who wish to place under contribution the Philippine Islands.

Our friends in opposition are continually inquiring, "What of the future?" Let them be patient. Let them restrain their impetuosity. Let them indulge in no intemperate speech and criticism. Let them have faith in the wisdom of the American people.

How long it will require us to educate the people in the Philippines, how much time will be required to establish municipal governments and provincial governments and an insular government a power higher than us knows, and He only knows. It is not given to our finite wisdom to see far into the future, but I have no doubt, Mr. President, as to our future in the Philippines.

I believe that the American people, actuated always by those great fundamental principles of free government, actuated by the principles which have governed us from the beginning until now, will carry into the Philippines no trace or suggestion of tyranny or harsh rule. We are ruling in the Philippines under the provision of the Constitution which distinctly and clearly enables the Congress of the United States to make such laws and regulations with respect to the territory belonging to the United States as the Congress in its superior wisdom shall deem just and proper.

Mr. President, it is not necessary that we should now declare our purpose with respect to the future of the Philippines. We must persevere in carrying into those islands as rapidly as possible all of the principles of free government, as we have been doing thus far. We have established, as I said before, in a large portion of the islands, peace, and if we are correctly advised, Mr. President, the majority of the inhabitants are to-day either affirmatively or passively in favor of American rule there.

It would indeed be an inglorious step for us to take, after we have gone thus far, to pull down the flag of the United States, and, in the language of President McKinley, adopt a policy of scuttle there. The problem, as I said in the beginning, is a plain one. We have but to do as we have done in the past, meet the duties of the hour in a brave, courageous, honest, straightforward manner, and the future will take care of itself.

There is no necessity for any heat; there is no necessity for any excitement, for I believe that no matter how grave and sharp the differences may be between us, after all we each desire to promote not only the welfare of the people of the Philippine Islands, but also the welfare and honor and the good name of the United States.

We owe a duty not only to the Filipinos, but we owe a corre-

sponding duty and obligation to the United States. The substitute of the minority, it seems to me, is unwise, and if we are to believe the Philippine Commission and others whose opinions are of weight, its adoption would result not in promoting peace, but in ushering in there an era of turbulence and disorder, the farthest limits of which we can not now measure.

Let us not be uncharitable; let us go forward, meeting the duties of the present in an intelligent, enlightened, patriotic way. By our past achievements we have added greatly to the renown of our country, and if we shall continue to persevere and hold fast to the great principles which have thus far guided us, we shall best serve the Filipinos and we shall increase the prestige and renown of our Government, which is dearer to us than all else.

Mr. HOAR. Mr. President, I rise to a parliamentary inquiry. The PRESIDENT pro tempore. The Senator from Massachusetts will state his inquiry.

Mr. HOAR. I desire to inquire if, as the votes on the amendments go along, it will be in order to move new amendments?

The PRESIDENT pro tempore. The Secretary will please read the rule which was adopted.

Mr. HOAR. I so understand it, but I wished to have the Chair state the fact.

The Secretary read as follows:

FEBRUARY 24, 1902.

By unanimous consent it is agreed that on Monday, February 24, after the routine morning business, the unfinished business (H. R. 5383) will be taken up for consideration, and each Senator shall be limited in debate to fifteen minutes, the time to be equally divided between the friends and opponents of the bill until 4 o'clock p. m., when debate shall cease and a vote be taken on all amendments submitted and to be presented and then on the bill, it being further agreed that said bill shall be taken up for consideration each morning after the routine business is concluded. (February 18, 1902.)

The PRESIDENT pro tempore. The first amendment pending is that offered by the junior Senator from Colorado [Mr. PATTERSON].

Mr. LODGE. I ask if the Senator will allow me to offer a committee amendment before the question is put on that, to which I think there will be no objection?

Mr. PATTERSON. Very well.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none. The Senator from Massachusetts, in behalf of the committee, offers an amendment, which will be read.

Mr. LODGE. It is to stand as a new section.

The PRESIDENT pro tempore. It will be read.

The SECRETARY. Insert as a new section the following:

SEC. —. That an appeal as respects all articles coming into the Philippine Archipelago from the United States and all articles coming into the United States from the Philippine Archipelago shall be allowed as provided in an act entitled "An act to simplify the laws in relation to the collection of revenues, approved on the 10th day of June, 1890 (26 Stats., 131), as amended by an act entitled "An act to provide for the Government, and to encourage the industries of the United States," approved July 24, 1897 (30 Stats., 151).

The PRESIDENT pro tempore. Will the Senate agree to the amendment?

The amendment was agreed to.

Mr. LODGE. Now I move a further amendment. In section 3, page 3, line 13, in the print that I hold in my hand, I move to strike out the words "otherwise provided by law" and to insert the words "July 1, 1904."

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment, which will be read.

The SECRETARY. Line 13, page 3, section 3, strike out the words "otherwise provided by law" and insert in lieu thereof "July 1, 1904."

Mr. PATTERSON. Let the clause be read as proposed to be amended.

The Secretary read as follows:

Provided, however, That until July 1, 1904, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Archipelago and the United States, etc.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The Secretary will read the amendment offered by the junior Senator from Colorado [Mr. PATTERSON].

The SECRETARY. It is proposed to insert at the end of the bill as a new section the following:

SEC. 8. That an act adopted by the United States Philippine Commission on November 4, 1901, entitled "An act defining the crimes of treason, insurrection, sedition, conspiracies to commit such crimes, seditious utterances, whether written or spoken, the formation of secret political societies, the administering or taking of oaths to commit crimes or to prevent the discovering of the same, and the violation of oaths of allegiance, and prescribing punishment therefor," be, and the same is hereby, repealed.

Mr. PATTERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN's name was called). The Senator from Kentucky [Mr. BLACKBURN] is unavoidably absent. He is paired with the Senator from Michigan [Mr. McMILLAN]. If the Senator from Kentucky were present, he would vote "yea."

Mr. CLARK of Wyoming (when his name was called). I am paired with the Senator from Kansas [Mr. HARRIS]. In his absence, with the consent of the pair of the Senator from Pennsylvania [Mr. QUAY], I will transfer my pair to the Senator from Pennsylvania, and vote. I vote "nay."

Mr. HALE (when his name was called). I am paired with the senior Senator from Arkansas [Mr. JONES]. I am informed that he would vote "yea," if present.

Mr. HANSBROUGH (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL]. I suggest to the senior Senator from Montana [Mr. CLARK] that we transfer our pairs, so that he and I may vote.

Mr. CLARK of Montana. That is agreeable to me.

Mr. CLARK of Wyoming. I vote "nay."

Mr. McENERY (when his name was called). I have a general pair with the junior Senator from New York [Mr. DEPEW], who is absent. If he were present, I should vote "yea."

Mr. McMILLAN (when his name was called). In accordance with the announcement made by the Senator from Arkansas [Mr. BERRY], I am paired with the Senator from Kentucky [Mr. BLACKBURN], and I will not vote.

Mr. PATTERSON. Mr. President, I rise to a parliamentary inquiry. Was the name of the Senator from South Carolina [Mr. McLAURIN] passed by direction of the President pro tempore?

The PRESIDENT pro tempore. It was passed by the instruction of the Chair.

Mr. PATTERSON. I want to raise the question—

Mr. ALDRICH, Mr. HALE, and others. Regular order!

Mr. PATTERSON. I want to raise—

Mr. BURROWS. The Senator can not interrupt the roll call. The PRESIDENT pro tempore. The roll call will proceed.

Mr. PATTERSON. The point can not be raised before the vote is announced.

Several SENATORS. Regular order!

The PRESIDENT pro tempore. The roll call will proceed.

The Secretary resumed the call of the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. That pair is transferred to the Senator from Kansas [Mr. HARRIS], and I vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. I was out of the Chamber when my name was called. I desire to state that I have a general pair with the Senator from South Carolina [Mr. TILMAN]. I do not know what my duty is under the circumstances; I should like to be advised; but, under the circumstances, I think I will decline to vote.

Mr. TURNER. Mr. President, I call the attention of the President to the fact that the name of neither Senator from the State of South Carolina has been called. I am authorized to state that the senior Senator from South Carolina [Mr. TILMAN] is in his seat and desires to vote upon this question. I ask a ruling of the Chair as to whether these Senators are entitled to vote on this question.

The PRESIDENT pro tempore. In the opinion of the Chair, they are not.

Mr. TURNER. Mr. President, I desire to take an appeal from the decision of the Chair, and upon that appeal I desire to be heard.

Mr. President, we have here the gravest proposition of constitutional law, I imagine, that has ever been presented in this body upon a mere question of order. We have presented the question whether a sovereign State in this Union—

Mr. LODGE. I rise to a question of order, Mr. President.

The PRESIDENT pro tempore. The Senator will state his point of order.

Mr. LODGE. Is it in order to debate any subject during a roll call?

Mr. TURNER. Mr. President—

Mr. LODGE. The roll call is still in progress.

Mr. TURNER. My question of order and the appeal thereon, pertaining to the roll call, is germane and certainly can be presented—

Mr. LODGE. It can not be discussed during a roll call.

Mr. TURNER. A question involving the high privilege of a State to representation in this body may be discussed at any time.

Mr. LODGE. After the roll call.

Mr. TURNER. The matter will then have passed into precedent, and that is what I desire to avoid, and what I think other Senators who are anxious to have proper and orderly procedure here ought to wish to endeavor to avoid.

Mr. LODGE. I make the point of order, Mr. President—

Mr. TURNER. I wish to say upon that point of order that I have heard these matters discussed pending a roll call for hours at a time since my limited service in this Chamber began.

Several SENATORS. No, no!

The PRESIDENT pro tempore. The Chair sustains the point of order raised by the Senator from Massachusetts [Mr. LODGE]. Until the roll call is completed, certainly nothing can intervene.

Mr. TURNER. When is the roll call completed, Mr. President?

Mr. HOAR and others. Regular order, Mr. President.

Mr. TURNER. I ask when the roll call is completed.

The PRESIDENT pro tempore. The names will be read.

Mr. TURNER. At what time will it be in order, Mr. President, to make this point of order?

Mr. HOAR. I rise to a question of order, Mr. President, that nothing can be done, either in the way of inquiry or otherwise, until the Chair has had the roll call completed. The Senate is executing its order, and nothing else can be heard. Afterwards the rights of everybody will be taken care of in some proper way.

Mr. TURNER. I will ask the Senator from Massachusetts when it will be in order?

Mr. HOAR. I should be out of order if I should respond to that question.

The PRESIDENT pro tempore. The Secretary will recapitulate the vote.

The Secretary recapitulated the vote.

Mr. TURNER. Mr. President—

The PRESIDENT pro tempore. The Senator from Washington.

Mr. TURNER. I now make the point of order that the names of the Senators from the State of South Carolina have not been called, and that they are entitled under the Constitution to vote upon this question.

The PRESIDENT pro tempore. The Chair overrules the point of order.

Mr. TURNER. I take an appeal from the decision of the Chair, and upon that appeal I desire to be heard.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. ALDRICH. I move to lay the appeal of the Senator from Washington on the table.

Mr. TURNER. I believe I have the floor, and the Senator can not take me off the floor.

Mr. BERRY (to Mr. ALDRICH). How can you take the Senator off the floor? You can not do that.

Mr. TURNER. As I said, Mr. President, this presents a grave question—

Mr. ALDRICH. I renew the point of order that debate of any kind is not in order pending a roll call, and, moreover, until the result is announced the roll call is not completed.

The PRESIDENT pro tempore. The Chair is clearly of opinion that the point of order is well taken, and that the rule provides for nothing except excusing a Senator from voting.

Mr. TURNER. Does the Chair mean to hold that the Chair can decide that a Senator is not entitled to vote here, and that there is no method of obtaining redress against that ruling until after the effect of that ruling has had its force?

Mr. ALDRICH. I make the point of order—

Mr. TURNER. A minority might be permitted to enact laws here—

Several SENATORS. Regular order!

Mr. LODGE. I insist on my point of order, Mr. President.

The PRESIDENT pro tempore. The Chair has sustained the point of order.

Several SENATORS. Regular order!

Mr. TURNER. I make the point of order, then, that the roll has not been called upon this vote.

Several SENATORS. Regular order!

Mr. TURNER. I ask for the ruling of the Chair.

The PRESIDENT pro tempore. The Chair rules that the roll has been called.

Mr. TURNER. I take an appeal from the decision of the Chair, and upon that I desire to be heard.

Mr. President, the Constitution of the United States—

Mr. GALLINGER. Mr. President, I make the point of order that, according to the unanimous consent agreement of the Senate, no other business can be transacted until the amendments to the pending bill and the bill itself have been voted on.

Mr. TURNER. Mr. President, I desire to be heard upon that point of order.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. The Chair has held that no debate on any question touching the roll call is in order, certainly not until after the announcement of the result of the roll call.

Mr. TURNER. I have now made the point of order that the roll has not been called, and that the Chair is about to proceed to

announce the result without calling the roll. The Chair has ruled upon that, and I have taken an appeal from the decision of the Chair, which I desire to discuss.

The Senator from New Hampshire [Mr. GALLINGER] makes the point of order that I can not discuss the proposition. I desire now, if the Chair will permit me, to discuss that point of order made by the Senator from New Hampshire.

Mr. HOAR. I rise to a question of order, Mr. President, that there can be no point of order taken or stated, and no discussion pending a roll call, and that the order must be executed by the Chair absolutely, without the intervention of any other question whatever.

The PRESIDENT pro tempore. The Chair sustains the point of order made by the Senator from Massachusetts [Mr. HOAR].

Mr. PATTERSON. Mr. President—

Several SENATORS. Regular order!

Mr. PATTERSON. Gentlemen, we listen to you. Is it in the power of the President of this body—

Mr. LODGE. The Senator is out of order.

Mr. PATTERSON. To disfranchise the State of South Carolina or any other State?

Several SENATORS. Order! Order!

The PRESIDENT pro tempore. The Senator from Colorado will take his seat and the Secretary will—

Mr. TURNER. I have taken an appeal from the decision of the Chair, which I wish to have submitted to the Senate.

Several SENATORS. Regular order!

Mr. TURNER. Mr. President—

The PRESIDENT pro tempore. The result of the vote will be announced.

The result was announced—yeas 28, nays 47; as follows:

YEAS—28.

Bacon,	Cockrell,	McLaurin, Miss.	Rawlins,
Bailey,	Culberson,	Mallory,	Simmons,
Bate,	Dubois,	Martin,	Taliaferro,
Berry,	Foster, La.	Money,	Teller,
Carmack,	Gibson,	Morgan,	Turner,
Clark, Mont.	Heitfeld,	Patterson,	Vest,
Clay,	Hoar,	Pettus,	Wellington.

NAYS—47.

Aldrich,	Dryden,	Kean,	Platt, Conn.
Allison,	Elkins,	Kearns,	Platt, N. Y.
Bard,	Fairbanks,	Kittredge,	Pritchard,
Burnham,	Foraker,	Lodge,	Proctor,
Burrows,	Foster, Wash.	McComas,	Quarles,
Burton,	Frye,	McCumber,	Scott,
Chapp,	Gallinger,	Mason,	Simon,
Clark, Wyo.	Gamble,	Millard,	Spooner,
Cullom,	Hanna,	Mitchell,	Stewart,
Deboe,	Hansbrough,	Nelson,	Warren,
Dietrich,	Hawley,	Penrose,	Wetmore.
Dolliver,	Jones, Nev.	Perkins,	

NOT VOTING—13.

Beveridge,	Dillingham,	McEnery,	Tillman.
Blackburn,	Hale,	McLaurin, S. C.	
Daniel,	Harris,	McMillan,	
Depew,	Jones, Ark.	Quay,	

So the amendment of Mr. PATTERSON was rejected.

Mr. TURNER. Mr. President, do I understand that the President of the Senate declines to entertain an appeal from his decision? I had taken an appeal before the President announced the vote.

The PRESIDENT pro tempore. The Chair sustained the point of order made by the Senator from Massachusetts [Mr. HOAR].

Mr. TURNER. That an appeal could not be taken?

Mr. ALDRICH. That point of order can not be raised.

Mr. MCCOMAS. Let the Senator read Rule XX.

Mr. TURNER. Rule XX says nothing of the kind.

Mr. BURROWS. I call attention to Rule XX.

Mr. TURNER. I do not desire to obstruct the proceedings of the Senate, but I feel earnestly about this, because I believe wrong has been done, and I ask for information whether the Chair has declined to permit an appeal from the ruling of the Chair?

The PRESIDENT pro tempore. The Chair certainly during the pendency of the roll call could not permit of any discussion of an appeal entered.

Mr. TURNER. I took an appeal and asked the Chair to submit it to the Senate.

The PRESIDENT pro tempore. No; the Senator, if he will pardon the Chair, desired to discuss it.

Mr. TURNER. I took an appeal and desired to discuss it. Then the Chair ruled that I had no right to do that, but I did not understand the Chair to rule that the appeal was not pending and was not properly taken. I asked the Chair to withhold the announcement of the vote and to submit the appeal from the decision of the Chair to the Senate.

Mr. ALDRICH. Mr. President, if the Senator from Washington will read the first clause of Rule XX, I think his mind will be perfectly clear on the subject.

Mr. TURNER. I have read the rule.

Mr. ALDRICH. It is explicit in terms, that a question of order may be raised at any stage of proceedings except when the Senate is dividing.

Mr. TURNER. I have seen that rule, and I assume that that rule does not relate to questions concerning the very division which has been going on.

Mr. ALDRICH. Certainly; it relates to all questions.

Mr. TURNER. Otherwise the Chair would be invested with the authority to say what Senators should vote upon any particular question; and if he were disposed to be arbitrary he could absolutely disfranchise enough Senators in this body to pass any measure he desired to.

Mr. President, if it is now in order I will present some considerations to the Senate on this question, and it is a question of high privilege. I present to the Senate and to the President of the Senate the fact that the State of South Carolina is here with two Senators—

Mr. ALDRICH. I rise to a question of order, Mr. President.

The PRESIDENT pro tempore. The Senator will state his question of order.

Mr. ALDRICH. My point of order is that according to the order of the Senate under which we are proceeding no debate is in order upon this question or any collateral question.

The PRESIDENT pro tempore. The Chair can not rule upon a question arising from a unanimous-consent agreement, it is for Senators themselves to determine what it means.

Mr. ALDRICH. Then I ask that the Chair may submit that question to the Senate.

Mr. TURNER. I rise to a question of privilege. I am addressing the Chair upon a question of privilege. I do not recognize the authority of the Senator from Rhode Island to take me off my feet, nor do I recognize the fact that the unanimous-consent agreement to which he refers has any application whatever to the question which I am now going to present to the Senate.

Mr. ALDRICH. Mr. President, if the Senator—

Mr. TURNER. I decline to be interrupted.

Mr. ALDRICH. If the Senator is proceeding to a question of privilege, he is bound, in the first instance, to state what his question of privilege is. That is the ordinary parliamentary law.

The PRESIDENT pro tempore. The Chair feels bound to recognize any Senator who states that he rises to a question of privilege.

Mr. TURNER. The question of privilege which I present is that the State of South Carolina, by the ruling of the Chair, has been prevented from exercising its constitutional right of participating in the proceedings of this body and of having its will registered through the votes of its Senators upon this measure.

Section 3 of Article I of the Constitution declares:

The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote.

Article V of the Constitution provides:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that "no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Mr. President, I do not question the right of the Senate to punish members for disorders committed in the Senate, for any breach of the rights, powers, and privileges of the Senate, but I do question the right of the Senate or of the President of the Senate, so long as a member remains a member of this body, to deprive him of his equal voice with every other Senator in the proceedings of this body and in the votes taken by this body.

It is true that we had a scene of disorder in this body on last Saturday, participated in by the two Senators from South Carolina, which everybody regrets, and which they regret; that they were at that time called to order; that, as a part of that proceeding, the Senate passed a resolution declaring them to be in contempt; and that it has postponed further proceedings under that contempt order until after the Committee on Privileges and Elections shall have reported to the Senate what, in its judgment, ought to be the action taken by the Senate thereon. Does the fact that the Senate has declared a member in contempt take him off the floor and deprive him and his State of the right to participate in the proceedings of this body?

Why, Mr. President, that would be a monstrous proposition. I am surprised that anybody could contemplate such a result as that from the vote of this body on last Saturday. If that rule be established, it is within the power of the majority to force cloture here at any time they please to do so by simply declaring the

minority members to be in contempt and not entitled to the privileges of the floor.

Moreover, sir, under that rule a minority might be transformed into a majority if the minority, finding a number of members of the majority absent from the Chamber, chose to take advantage of the temporary majority vote which they then had to declare enough members of the majority in contempt to reduce the majority to a minority. We would have the minority transformed into a majority in this body through the legerdemain of an accidental vote declaring certain members of the majority in contempt.

This rule of order, upon which the Chair has proceeded, and upon which I understand he has predicated his ruling, was not intended to bring about or to permit any such result. No such construction as that has ever been given to it. I submit that these results, which Senators can see are so extraordinary, and so much beyond anything which it can be possibly presumed the framers of that rule had in mind in drafting it, that it would be a most dangerous precedent if we went on and undertook to enforce a construction which could bring about such results.

Now, Mr. President, I understand the ruling of the Chair to be predicated upon subdivision 2 of Rule XIX, which reads:

2. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order he shall sit down, and not proceed without leave of the Senate.

Mr. President, that rule is simply designed to secure orderly conduct, and its effect is limited, if disorder has occurred, to the particular debate then proceeding before the Senate. After that debate shall have passed on if a Senator who has been in disorder be then in his seat and desires to proceed to debate in order and according to the rules of the Senate, there is no power in the world to prevent him except the power of this body to expel him, and until that order has been made there is no power in the world to prevent him having his votes registered here as fully and to the same extent as the vote of any other Senator.

In the name of all the States of the Union, not because it has any effect upon this particular measure here, because we know it has not, but in the name and in the interest of the States of the Union, whose right to representation in this body is being jeopardized by the action of the President, I most solemnly protest against that action and insist that it be reversed.

Mr. FORAKER. Mr. President, it seems to me it is easy indeed to answer all that has been said or suggested by the Senator from Washington [Mr. TURNER]. He has read only a part of the Constitution that is applicable. It is true that the Constitution does provide that each State shall be represented by two Senators, and that they shall have the right to vote; but the Constitution also provides:

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

The Senators from South Carolina were guilty of misbehavior in the Senate Chamber in open session on last Saturday, as the Senator concedes. It is true there is no rule of the Senate adopted under this authority of the Constitution directly applicable to that case, but the failure to have provided a rule exactly applicable does not deprive this body of its constitutional power to punish its members for misbehavior as it may see fit to punish.

Therefore it was competent for the Senate, as was suggested by the Senator from Massachusetts, to commit the Senators from South Carolina to the custody of the Sergeant-at-Arms. Suppose that proposition had carried and the Senators from South Carolina were at this moment in the custody of the Sergeant-at-Arms of the Senate. Could it be claimed that it would be necessary for the Senate, they demanding the right to vote, to send for the Sergeant-at-Arms and have him escort the Senators from the place where he had seen fit to confine them into the Senate Chamber in order that their names might be called and they be allowed to respond with votes? A mere statement of the proposition is enough to show its utter absurdity.

Mr. President, it is a right inherent in every parliamentary body to protect itself as against its own membership, and when members see fit to violate the dignity of the body, when members see fit to violate the rules of the body, it is competent, under our constitutional power expressly given us, to punish as in our judgment we may see fit to punish. We have seen fit not to commit these Senators to the custody of the Sergeant-at-Arms; but in lieu thereof we have adjudged them guilty of contempt of the Senate.

It is a contempt of a high character, gross and grievous in its nature. An outrage was perpetrated, if that is not too harsh a word for me to use, of which the Senate was bound to take notice. We meant something when we adjudged those Senators to be guilty of contempt. Is it possible that members of the Senate who are in contempt, solemnly so adjudged, are to have the privileges of the floor, to address the Senate, to advise us how

we shall vote, and then to vote themselves upon a proposition submitted to us? Of course they represent a State; of course they should be entitled to vote here; but that presupposes that they will first have conformed to the rules and regulations constitutionally prescribed, for the Constitution says they shall be prescribed by this body for the government of this body; and when they see fit to violate those rules they forfeit those rights, at least at the option of the Senate. We have exercised our option. When they were adjudged in contempt they lost their right to further participate in our proceedings.

Mr. TURNER. Upon what ground?

Mr. FORAKER. And they must of necessity stand in that position until the contempt is removed by the judgment of the Senate, the only body that can remove it. On the ground, answering the question of the Senator from Washington, that the Constitution has put it in our power to punish as we see fit. We have seen fit to punish by adjudging them in contempt. It is contrary to common decency for a member of a body who is in contempt of the body to address the body and exercise all of the rights of membership in the body.

Mr. MALLORY. Mr. President, I regard this as a very grave question and one which ought to be determined after a very careful consideration of its merits. The question which presents itself is whether a sovereign State of the Union can be deprived, not merely by the act of the President of the Senate, but by the act of the Senate itself, of a right conferred upon it by the Constitution.

The Senator from Washington [Mr. TURNER] has read two provisions of the Constitution which indicate very plainly and clearly that it was the intention of the framers of that instrument that every State of the Union should have the right to have its will expressed through its representatives here on all questions coming before the Senate. When it is declared in the Constitution that "Each Senator shall have one vote," that, without qualification, would seem to my mind to be conclusive of the fact that under no circumstances shall a member of this body, so long as he is a Senator, be deprived of the right to vote.

In answer to that the Senator who has just taken his seat cites the provision of the Constitution which vests in the Senate or the House of Representatives, or both, the power to determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, and the Senator from Ohio [Mr. FORAKER] has assumed the fact that by the adoption of a resolution which has declared those two Senators to be in contempt the Senate has punished those two Senators. There is no precedent in the annals of Congress for us to go to in order to determine what is meant by a member being placed in contempt. The Senator from Ohio construes it to mean that it is the punishment itself, and he construes it further to mean that by being placed in that position and being punished the constitutional right of the Senator to cast his vote upon any question before the Senate is taken from him.

Mr. President, that is a very long step from a premise to a conclusion, and the very fact that these Senators have been placed by resolution of the Senate in contempt is a declaration of the fact that we have not yet punished them and that they are awaiting the punishment which hereafter may be inflicted. I do not for an instant deny that it is within the power of the Senate to punish members of this body who are guilty of any grave infraction of the rules of the Senate, but the fact that they are in contempt is not a punishment. They are in a condition of reprobation, if I may use the expression, to await the final determination of the Senate with regard to the act with which they are charged. That final determination may be a vote of censure. It may be a vote of expulsion. We have it in our power, if two-thirds of the Senate choose to exert that power, to expel the two Senators. But we have not done it. We have taken no action. We have, in fact, referred the matter to a committee to determine what action shall be taken; and so far as their status as members of this body is concerned, with the exception of the fact that the Senate has declared that they are in contempt, they are in exactly the same position that is every other Senator on this floor.

I can not understand why it is contended that the mere fact of our placing our ban upon them to the extent that they are in contempt and shall be in that condition until we shall decide further what shall be done deprives them of the right which the Constitution confers upon them, to vote on every question that comes up here. We may at any time exert this power which is given us in the clause quoted by the Senator from Ohio. We may say, or undertake to say, that the Senators shall not be allowed to vote, shall not be allowed to participate in the proceedings of the Senate, until they do something to purge themselves of this contempt. But we have not as yet done that. The committee is to take this matter into consideration and make its report, and we are then to determine whether or not the recommendation of the committee shall be adopted.

Therefore it strikes me that it is as clear as the noonday sun that while under the rule of order which prevails those Senators can be called to order, can be required to take their seats, and need not be recognized by the Chair until the Senate by a vote authorizes them to be recognized; nevertheless we can not strike their names from the list of members of this body. They are still Senators of the United States from the State of South Carolina. It is not in the province of the Secretary of the Senate to strike off their names from the list, and it is not in the province of the President of the Senate to cause it to be done. Until it can be shown that the resolution of the Senate declaring each of the Senators in contempt amounts to a punishment and that punishment amounts to an exclusion from the rights to vote, the Senators have the right to vote, and I solemnly enter my protest against any conclusion to the contrary.

Mr. BAILEY obtained the floor.

Mr. FORAKER. I wish to ask the Senator from Florida if he perceives—

The PRESIDENT pro tempore. The Senator from Texas has been recognized.

Mr. HOAR. I rise to a point of order.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Massachusetts will state his point of order.

Mr. HOAR. The point of order is that the Senate has not merely made a unanimous-consent agreement, but has ordered that certain votes shall be taken at this time, and it is impossible to interrupt the execution of that order by raising questions of order or by debate.

Mr. BAILEY. I suggest to the Senator from Massachusetts that we are not now raising a question of order, properly speaking, but a question of the highest privilege.

Mr. HOAR. You can not interrupt the order with a question of order.

The PRESIDING OFFICER. Does the Senator from Massachusetts insist upon his point of order?

Mr. HOAR. Yes.

The PRESIDENT pro tempore resumed the chair.

Mr. HOAR. The present occupant of the chair was absent when the point of order was raised. I will restate it. The Senate not merely gave unanimous consent, but made an order that at this time certain votes should be taken, and the point of order is that nothing can be admitted to interrupt the taking of those votes.

Mr. BAILEY. The very question is—

The PRESIDENT pro tempore. The Chair is obliged to overrule the point of order. The RECORD shows that it was by unanimous consent, and the Chair can not exercise—

Mr. PLATT of Connecticut. It was agreed to.

[At this point the President pro tempore rapped with his gavel, the Senators rose, and Prince Henry of Prussia entered the Chamber, accompanied by his suite and the reception committee, and he was escorted to a seat provided for him on the left of the President pro tempore.]

Mr. HOAR. Let the agreement be read.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

FEBRUARY 24, 1902.

By unanimous consent it is agreed that on Monday, February 24, after the routine morning business, the unfinished business (H. R. 5833) will be taken up for consideration, and each Senator shall be limited in debate to fifteen minutes, the time to be equally divided between the friends and opponents of the bill until 4 o'clock p. m., when debate shall cease and a vote be taken on all amendments submitted and to be presented and then on the bill; it being further agreed that said bill shall be taken up for consideration each morning after the routine business is concluded. (February 18, 1902.)

The PRESIDENT pro tempore. The responsibility of violating the agreement must rest with the Senators themselves. The Chair has no power to enforce it.

Mr. SPOONER. That is right.

Mr. CULLOM. Let us proceed to vote.

Mr. BAILEY. Mr. President, I cheerfully take my part of that responsibility. If this were a mere effort to delay a vote to serve either selfish or partisan ends, I should shrink from it; but it being a question of the utmost importance, not only to us who are here now, but to those who must come after us, no mere question of propriety, even if it were a doubtful one, would restrain my action.

No Senator here more sincerely deprecates the unfortunate occurrence of Saturday afternoon than I do, nor will any Senator go further in all proper ways to vindicate the dignity of this body; but when the Senate undertakes to punish a Senator it must be careful not to punish a State.

The Constitution gives to each House of Congress the power to punish its members for disorderly behavior. That such a power could be properly exercised in an instance like this I have no kind of question; but, sir, it is not within the power of the Senate—and

much less is it within the power of its presiding officer—to strike from the rolls of this body the Senators from a sovereign State.

South Carolina, like her sister States, is entitled to her representation here, and if those whom she now honors with her commission are not worthy to serve among us, our recourse is an easy one. Whenever two-thirds of the membership of this body shall so adjudge, they can expel the present Senators and leave the State of South Carolina to give other men her commissions.

Mr. SPOONER. Will the Senator from Texas allow me to interrupt him?

Mr. BAILEY. Certainly.

Mr. SPOONER. The Senator admits, as he must, that the Senate has power to punish its members for disorderly conduct. Does the Senator mean to say that the only punishment must be expulsion?

Mr. BAILEY. I do not; for there would be no sense in the constitutional provision which authorizes the Senate to punish for disorderly behavior and then that follows with authority to expel upon the concurrence of two-thirds.

Mr. SPOONER. Could the Senate imprison?

Mr. BAILEY. In a proper case it might.

Mr. SPOONER. Then would not the members from the sovereign State be incapacitated from voting?

Mr. BAILEY. No, sir.

Mr. ALDRICH. Can not the Senate suspend a Senator?

Mr. BAILEY. I think clearly not.

Mr. ALDRICH. I should like to read—

Mr. BAILEY. I know what you have in your mind and I will come to that.

Mr. ALDRICH. I am very glad to know that.

Mr. BAILEY. But if it will serve the purpose better now, I will yield to have it read.

Mr. ALDRICH. Paragraphs 626 and 627 of Cushing's Manual say:

The power to expel also includes in it a power to discharge a member, for good cause, without inflicting upon him the censure and disgrace implied in the term "expulsion;" and this has accordingly been done, in some instances, by the House of Commons.

Mr. BAILEY. In the House of Commons, where they have no written constitution and no limitations such as those under which we live.

Mr. ALDRICH. They have rules, and the rules are subject to parliamentary practice and law, and this is one of them:

Analogous to the right of expulsion is that of suspending a member from the exercise of his functions as such, for a longer or shorter period; which is a sentence of a milder character than the former, though attended with somewhat different effects; for during the suspension the electors are deprived of the services of their representative, without power to supply his place; but the rights of the electors are no more infringed by this proceeding than by an exercise of the power to imprison.

Mr. BAILEY. There is nothing in that which I feel called upon to controvert. Undoubtedly the Parliament of Great Britain is, as the law books say, omnipotent. It not only can do what it pleases with its own members, but it can do what it pleases with the people for whom it legislates. I believe Lord Coke did say that the Parliament could not make a man a judge in his own case, but I think my Lord Coke would have hesitated before declaring a law of Parliament invalid even upon that ground.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. The Senator must be aware that the authority from which I read is not an English authority.

Mr. BAILEY. Oh, yes.

Mr. ALDRICH. It is the recognized American authority upon parliamentary law and practice.

Mr. BAILEY. But in the paragraph which the Senator read the author is speaking about the practice in Great Britain.

Mr. ALDRICH. No; I beg the Senator's pardon.

Mr. BAILEY. Indeed he does.

Mr. ALDRICH. It merely cites in that one section what has been done in the Parliament of Great Britain.

Mr. BAILEY. Let me read to the Senator from Rhode Island from an American authority about American matters, contrasting this with the rule in Great Britain.

Mr. ALDRICH. From what does the Senator propose to read?

Mr. BAILEY. From the American and English Encyclopedia of law:

The same inherent power of punishing for contempt belongs to Parliament in England. The House of Commons has it, not because it is a representative body with legislative functions, but because it is a part of the high court of Parliament, the highest court in the realm.

A legislative assembly of an English colony, not being a judicial body, has no inherent right to punish for contempt, and, except in those cases where Parliament has invested them with it, they can not exercise it.

In the United States the judicial power is vested by the various constitutions in the courts created by the constitutions and such others as may be created. Neither Congress nor the State legislatures succeeded to those inherent and unlimited powers of punishing for contempt possessed by the English Parliament.

Mr. ALDRICH. Mr. President—
The PRESIDENT pro tempore. Does the Senator from Texas yield?

Mr. BAILEY. I will.

Mr. ALDRICH. Does the Senator contend that there is any limitation whatever upon the power of the Senate to punish its own members for offenses against it?

Mr. BAILEY. I am contending that this very moment. I am contending that the Senate can inflict any punishment upon its members who are guilty of disorderly behavior short of depriving a sovereign State of its representation in this body. The Senate can stand the two offending Senators from South Carolina up in its presence—

Mr. FORAKER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Ohio?

Mr. BAILEY. I will.

Mr. FORAKER. I understood the Senator to concede a moment ago, in answer to a question by the Senator from Wisconsin, that it is within the power of the Senate to imprison as a punishment. What, I ask the Senator, would be the course of procedure in case of imprisonment and the demand of a Senator from a State to vote who was so imprisoned?

Mr. BAILEY. The Senator so in charge of an officer of this body would have a right to demand that he should come to this Chamber and answer to his name whenever the roll was called.

Mr. FORAKER. Would he not also have the right to come here in order that he might participate in the discussion and become informed as to what he was to vote upon?

Mr. BAILEY. Although it would be going to the extreme length that the Senate might control in the matter of debate, because the Constitution does not declare that every Senator shall have the right to speak, but it does provide that each Senator shall have one vote, and that no State shall be deprived of its equal suffrage in the Senate.

In all other portions of the Constitution the framers talk of representation, but in this particular clause they speak of suffrage, and they deny not only to both Houses of Congress, but deny to the American people in their sovereign capacity the power to deprive any State of the Union of its equal vote in the Senate. That is the one and the only provision of the Constitution not now subject to amendment; and yet, sir, by a mere resolution declaring two Senators in contempt it is now proposed not only to deprive a State of its equal suffrage in the Senate, but to deprive it of all suffrage here.

I was about to say, when the Senator from Ohio interrupted me with his question, that I believe the Senate can stand these offending Senators up in its own presence and in the presence of the country, and can require them to apologize for what the Senate may deem their misbehavior.

Mr. CULLOM. Suppose they refuse?

Mr. BAILEY. The Senate can then expel them; but whenever the Senate decides that these two Senators are not fit to cast the vote of South Carolina, it must expel them and thus enable that State to send representatives here who can and will cast the vote of that State.

Mr. FORAKER. Mr. President—

Mr. BAILEY. Will the Senator let me conclude the sentence? Reflect a moment, Mr. President. It requires two-thirds to expel under the direct limitation of the Constitution, and yet you may accomplish a greater wrong against a State by simply adopting a resolution by a bare majority of one. If you expel her Senators a State can send others to represent it; but by this procedure you can silence the present Senators through all their terms and the State will have no power to choose their successors because no vacancy exists. On the other hand, declare their expulsion, and on the next day the legislature of the State may elect two Senators, or, if it be not in session, the Constitution deems it so important that the State shall be represented that the governor himself may commission her most worthy sons to come and speak for her.

An example of this kind once consented to by the Senate and become a precedent will breed more mischief than a hundred broils could do. That the Senate is no place for personal encounters, I grant you. But, Mr. President, we sit here, all of us, holding our places under a solemn oath to support the Constitution, and it binds everyone of us to see to it that no State shall be deprived of its equal suffrage in this body.

Mr. FORAKER. If the Senator will allow me—

Mr. BAILEY. I will.

Mr. FORAKER. I will not interrupt him unless it is agreeable to him.

Mr. BAILEY. It is entirely agreeable.

Mr. FORAKER. I should like to have the Senator speak—because he is making a very interesting and a very able speech—as to the effect upon the status of a Senator of adjudging him in

contempt. Does it affect his status at all? I understood the Senator to say that if we saw fit we could punish by imprisonment in a proper case, and that when we punish by imprisonment we could exclude the Senator from debate probably.

He did not seem to be certain about that, but that seemed to be his better judgment. However, he said that even then we could not deprive him of his right to vote. Now, I ask him, is not adjudging a Senator in contempt in the nature of punishment? Does it not have some effect upon his status here? And if a Senator be adjudged in contempt because he has been guilty of misbehavior, pending final action does it not affect his right to participate in the proceedings, both in debate and in voting?

Mr. BAILEY. Now, if the Senator—

Mr. McLAURIN of Mississippi. Will the Senator from Texas allow me just one suggestion right here?

Mr. BAILEY. Let me say before the Senator from Mississippi interrupts me, that I only agree that the Senate might imprison in what I described as a proper case, and I made that answer at the moment. I am not sure, upon reflection, that I would not go further and say that the power of the Senate to imprison is certainly limited to the extent that its imprisonment could not interfere with a State's equal suffrage in the Senate. Now I will yield to the Senator from Mississippi.

Mr. McLAURIN of Mississippi. Now, with the permission of the Senator from Texas—

Mr. FORAKER. I wish the Senator from Texas might be allowed to conclude his answer to the question I asked him as to the effect of adjudging a Senator in contempt.

Mr. McLAURIN of Mississippi. I wish to make just one suggestion.

Mr. BAILEY. I am going to answer the Senator from Ohio.

Mr. McLAURIN of Mississippi. In this section of the Constitution I read the following clause:

The Senators and Representatives * * * shall in all cases, except treason, felony, and a breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech, etc.

One of these Senators is certainly not guilty of treason, felony, or a breach of the peace. Neither of them is guilty of treason or felony. Is it possible that this could have meant that they should not be arrested by anybody else, but that they might be arrested by the Senate?

Mr. BAILEY. I think that was intended to abridge the power of the ordinary courts of the country over them.

Mr. McLAURIN of Mississippi. I do not think that this was intended to be limited anywhere. I think it was the intention of the framers of the Constitution to provide that they should not be arrested for anything except felony, treason, or a breach of the peace, because it was the intention of the framers of the Constitution that for everything else they should be allowed to be here and to vote.

Mr. BAILEY. The truth about this case would be that it would be a breach of the peace, and they might have been arrested for that.

Mr. McLAURIN of Mississippi. It would have been a breach of the peace on the part of one; it would not have been a breach of the peace on the part of the other.

Mr. BAILEY. That might require me to go into a question that I would not want to discuss at this stage of the proceedings. A little further on I think that will become a proper question.

Mr. FORAKER. I insist, if I may be allowed, upon an answer to my question.

Mr. BAILEY. I will give it. If the Senator from Ohio would permit me to change his word "status" to "standing"—

[At this point Prince Henry of Prussia retired from the Chamber amid applause on the floor and in the galleries.]

The PRESIDENT pro tempore. The Senate will please be in order. The occupants of the galleries will be as quiet as possible.

Mr. ELKINS. Mr. President, I should like to interrupt the Senator from Texas for the purpose of asking him a question.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. Yes, sir.

Mr. ELKINS. The Senate has by a resolution, after some deliberation, adjudged the two Senators in contempt. It is an order entered upon the records of the Senate. Now, if those Senators can have all the privileges of other Senators and can vote, what good is the order? It is about as idle as a painted ship on a painted sea—the order of the Senate amounts to nothing.

Mr. BAILEY. Replying to the Senator from West Virginia, and interrupting my reply to the Senator from Ohio, I will state that the resolution that they are in contempt has no more effect than a resolution that they ought to be held in general contempt or any other resolution of censure.

Now, as I was proceeding to say to the Senator from Ohio, the action of the Senate has a very serious effect upon the standing of these two Senators, unless the country shall decide, and their

constituents shall decide, that this unfortunate occurrence took place in the heat of blood, and therefore it is one of the regrettable circumstances that shall be passed in silence, or shall determine that, in spite of this single unfortunate transaction, the services of either Senator or of both to the State heretofore has been such and to the State hereafter is to be such that this might be overlooked.

I say unless the State believed that, neither of the Senators would ever be commissioned again to sit in this body; the effect of their own conduct and the effect of the Senate's action would be a very serious one. I do not mean to say that the unfortunate affair of Saturday ought to retire the offending Senators from the public service. Men, because they are Senators do not cease to be men; the best of us can be stung by epithets into hasty and ill-considered action. While that is no excuse perhaps, or at least no sufficient excuse for misconduct in the Senate, yet that offense, grave as any Senator may choose to consider it, can not afford the shadow of a justification for depriving a sovereign State of its equal suffrage in the Senate.

Senators affect to be greatly shocked—I withdraw the expression "Senators affect" because it is an offensive suggestion that Senators do not regard this breach of our rules with great aversion. I know they do. I know how much I regret it myself. I know the Senate feels that its dignity was outraged; but nearly any Senator on this floor who is worthy to represent a State would in the last stage of the controversy have done what both of the Senators from South Carolina did.

Mr. President, the Senate has expressed its disapproval, and if not satisfied with that it can still, under its power of expulsion, turn these Senators from the Chamber with a disgrace upon their names that would outlive their generation; but, sir, the Senate has no power to deprive any State in this Union of its equal suffrage here.

Mr. HAWLEY. For any offense.

Mr. BAILEY. For any offense committed by her Senators. It does not deprive the State of its equal suffrage by expulsion, because if a Senator is expelled one day, as fast as steam and iron can bring a successor here he will be named.

Mr. ELKINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from West Virginia?

Mr. BAILEY. I yield.

Mr. ELKINS. I do not wish to offend the Senator, but Mr. President—

Mr. BAILEY. The Senator from West Virginia could not offend me. He is too good-natured.

Mr. ELKINS. I thank the Senator very much. Then I demand the regular order. This speech, which is admirable, is suited when the Senators from South Carolina are on trial, but not now. I demand the regular order, that the Senate proceed, under the unanimous-consent agreement, to vote on the bill and amendments.

Mr. BAILEY. I will say to the Senator from West Virginia I am not speaking for the Senators from South Carolina now; I am speaking for the State of South Carolina. It is entitled to vote on this question and entitled—

Mr. ELKINS. I demand the regular order, Mr. President.

Mr. BAILEY. The State of South Carolina is entitled to vote on every question.

Mr. HALE. Mr. President—

Mr. ELKINS. Regular order.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Maine?

Mr. HALE. I was waiting for the Senator. I thought from what the Senator said that he had just finished. I do not want to interrupt him, but I ask for the floor when the Senator has concluded his remarks. I do not want to interfere with the Senator from Texas.

Mr. BAILEY. Certainly. I had not, Mr. President, dwelt on another view of the question, which I had intended to discuss.

Mr. ELKINS. Regular order, Mr. President.

Mr. BAILEY. But I recognize the desire of the Senate to dispose of the matter now under consideration, and I certainly have no desire myself to postpone that action.

If it could be defeated, even at the expense of fretting my excellent and good-natured friend from West Virginia, I would speak on; but knowing that that action is already determined on, I certainly could have no pleasure in making the hour of consummation 7 o'clock to-night instead of 5. I assure him, as I assure the Senate, that I would much have preferred that the necessity of saying anything had not arisen. I would much have preferred that the roll of the Senate had not been altered under the direction of the Presiding Officer, or by the Clerk, or by the Senate itself.

My own judgment is that the Senate has no power, except by resolution of expulsion supported by two-thirds of the Senate, to take the name of a single Senator from the roll either for a day

or for a year. Let me illustrate the danger of the rule. If the Presiding Officer is correct in his ruling, it requires the action of the Senate to restore the right of these two Senators to vote.

Suppose that such action is never taken, for nearly six years South Carolina would not be permitted to cast the vote represented by her senior Senator, and for nearly two years she could not cast the vote held by her junior Senator; and thus that State, without any offense on her part, and against the constitutional guaranty, would be deprived not only of her equal, but of all suffrage in the Senate. By a mere resolution adopted by a majority of one (because in legal contemplation it makes no difference whether it were adopted unanimously or adopted by a single majority) you thus invent, under the pretense of punishing a disorderly Senator, a way to deprive a State of its equal suffrage in the Senate. I appeal to Senators on that side.

Mr. ELKINS. Mr. President, if the Senator from Texas will allow me to interrupt him, if it will be in order, he can continue his speech to-morrow, and I move that the Senate do now adjourn.

Mr. HALE. I hope the Senator will not—

Mr. ELKINS. We can not get through here to-night.

Mr. HALE. I hope the Senator will not make that motion.

Mr. BAILEY. I am not sufficiently practiced in the ways of this body to speak four or five hours at a time. I probably will learn that after I have served here longer. [Laughter.]

Mr. ELKINS. As I understand the situation, we must vote to-night, according to the unanimous-consent agreement. Now, if we are to take up the case of the two Senators from South Carolina we can not reach a vote. I want to make some progress with the question before the Senate. As I understand, this question is not before the Senate. If the Chair will enforce the rule, I will withdraw either the demand for the regular order or the motion for an adjournment.

Mr. BAILEY. We are having the regular order.

Mr. ELKINS. Not at all, Mr. President. I ask for the ruling of the Chair on that subject.

Mr. BAILEY. Each Senator has the floor on his own responsibility. I cheerfully took mine in the beginning of what I had to say. The Senator from West Virginia did not happen to be here at that time to claim the floor. He was otherwise and, perhaps, better occupied.

Mr. ELKINS. Mr. President, is a motion to adjourn in order?

Mr. BAILEY. Not until the Senator from West Virginia has the floor, and for that purpose I decline to yield.

Mr. ELKINS. I understand that a motion to adjourn is in order at any time.

Mr. BAILEY. It is when a Senator has the floor to make the motion.

Mr. President, I doubt, as was well said by the distinguished Senator from Washington [Mr. TURNER], if either this or any other legislative body ever confronted so grave a question upon a matter of order, and I appeal to Senators on the other side of the Chamber not to make such a precedent as this will become. I assure them that Senators on this side of the Chamber at a proper time and in a proper way will join them or ask them to join us in an orderly and proper proceeding to vindicate the dignity of this body. But let us not in haste or passionate resentment do that which through all the years to come we must sincerely regret.

I saw such an exhibition of bad temper here this afternoon as I never expected to witness in the Senate, and such as I trust I never shall witness again. I heard great Senators, when a colleague rose to address the body upon a matter affecting its constitutional privileges, drown his voice with a demand for the regular order—conduct as discreditable to the Senate as that which we witnessed on Saturday afternoon. Then we had two infuriated men, each stinging under what he believed to be a personal insult. This afternoon we have almost one entire side of the Senate Chamber ready to deny a colleague a hearing upon a question affecting the rights of a sovereign State.

Mr. HAWLEY. Will the Senator permit me just a single observation?

Mr. BAILEY. I am compelled, of course, to yield to the Senator from Connecticut.

Mr. HAWLEY. I understand that what we have done is that we have already referred this question to the highest committee of the Senate.

Mr. BAILEY. If the Senate will agree to defer further action until that committee has ascertained what the punishment ought to be, we will end this controversy and take a vote upon the main question at once. But what I protested against is that after having referred a question to a committee you not only seek to inflict a punishment upon Senators, but you seek to inflict a greater and an unwarranted punishment upon the State which they represent.

I should be glad to join the gentlemen on that side in a unanimous-consent agreement that the Chair should reserve the question of order until that committee has decided. If the committee recommend a punishment like that, we can then discuss it when

the Senate is better prepared to hear the discussion and when Senators have had the time and the opportunity to prepare themselves for its discussion.

What I further protest against now is that the Presiding Officer of the body, under his sense of duty—because I have respect enough for him to believe that neither out of personal resentment nor for party advantage would he transgress the rules of this body which has honored him by making him its Presiding Officer—but under the rules as he understands them he has not only ordered these names stricken from the roll of the Senate, but he has denied the Senators from the State of South Carolina the right even to be heard in their own defense.

Without a motion supported by a majority of this Senate neither Senator from South Carolina can ever rise in his place even to protest in the name of his State against this grave injustice. The Senate ought not, in taking care of its own dignity, to outrage a State of the Union and violate the plain provision of the Constitution. We ought not, in exercising our power to punish a disorderly Senator, to attempt to punish a State.

Mr. HOAR. Mr. President, may I ask the honorable Senator if any justice of the peace in the entire country could not do the same thing by committing the Senators for a breach of the peace?

Mr. BAILEY. Of course, whenever the Senator from Massachusetts asks a question about the law the question answers itself. The venerable Senator from Massachusetts is so distinguished a lawyer that, even if I thought him wrong, I should hesitate to say so. [Laughter.] In this case I thoroughly agree with him. If these two Senators were practicing law in a justice's court, had forgotten the dignity of that place—and it has its dignity as well as this body—

Mr. HOAR. I do not think the Senator understands my question.

Mr. BAILEY. And had engaged in an encounter—

Mr. HOAR. My question was not whether any justice of the peace would keep them from practicing in his court, but whether any justice of the peace could not deprive the State of South Carolina of representation in this body by committing the two Senators from that State for contempt if there had happened in that justice's court what happened here?

Mr. BAILEY. It was deemed so important that a State should not be deprived of its representation—

Mr. FORAKER. Will the Senator allow me to supplement that question with another?

Mr. BAILEY. Let me finish my sentence first.

It was deemed so important that a State should not be deprived of representation that the Constitution deprives the law officers of a court of the power to arrest a Senator, except in case of treason, felony, or breach of the peace. I might in turn become the questioner, and ask the venerable Senator from Massachusetts why that provision was placed in the Constitution? Was it not because the Constitution makers deemed it so important that a State should not be deprived of its representation?

Mr. HOAR. My question was this: If any justice of the peace in Texas or Massachusetts—I will not say Texas—if a justice of the peace in Massachusetts should commit two Senators from Massachusetts for a breach of the peace in his presence, and thereby deprive the sovereign State of Massachusetts of their votes in the Senate until they had served out the contempt for doing exactly what happened here, is it such a dreadful thing when it is done by the Senate of the United States?

Mr. BAILEY. That could not deprive a Senator of his right here, for the reason that he could either pay his fine or give a bond, and then come here and vote.

Mr. HOAR. But can not the Senator see for himself—

Mr. FORAKER. Will the Senator allow me to supplement the question he has just answered by another question, and that is whether or not, in his opinion, there is any justice of the peace in the State of Texas or the State of Massachusetts or any other State—

Mr. BAILEY. Suppose we take Ohio.

Mr. FORAKER. We will take Ohio, then. Does the Senator imagine that a justice of the peace anywhere could be found, who, after he had adjudged parties guilty of contempt, would allow them to address him again and proceed in the trial of a cause before him as attorneys until they had to his satisfaction purged themselves of contempt?

Mr. BAILEY. Aye; he might not allow them to do that.

Mr. FORAKER. Would any court in Christendom allow them to do it?

Mr. BAILEY. The moment they offered to purge themselves of that contempt he would be compelled to allow them to do so, and they could then try the cause of their client in his court.

Mr. FORAKER. That may be law in Texas, but it is not in any other State I have ever heard of.

Mr. BAILEY. There is a great deal of law the Senator from Ohio has not heard of. [Laughter.]

Mr. FORAKER. Undoubtedly; and especially in Texas, from what the Senator has said. [Laughter.]

Mr. BAILEY. I had the misfortune once to try a case in Ohio, and I learned some new and remarkable law there.

Mr. FORAKER. I have no doubt you learned something before you got through with it. [Laughter.]

Mr. BAILEY. Without intending to be offensive, if there is much to be learned there—

Mr. PETTUS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Alabama?

Mr. BAILEY. I will yield when I finish this sentence. If there is much to be learned there, I commend the Senator from Ohio to stay there as much as his Senatorial duties will allow. [Laughter.] The distinction between the cases suggested by both the Senator from Massachusetts [Mr. HOAR] and the Senator from Ohio [Mr. FORAKER] and the one now under consideration is broad and, as I think, plain. In those cases a Senator might be deprived of his physical ability to be present in the Senate and exercise his right to vote, while in this case it is proposed to deny him the right when he is here and anxious to exercise it.

Mr. PETTUS. Mr. President, I did not rise to ask permission to interrupt the Senator, but I rose to a question of order.

The PRESIDENT pro tempore. The Senator will state his question of order.

Mr. PETTUS. Senators talk to each other backward and forward here without paying any attention to the rules of the Senate, and without the permission of the Chair. I insist, sir, that the order of the Senate shall be preserved in that respect.

Mr. BAILEY. Mr. President, if the Senator from Alabama [Mr. PETTUS] had been in the chair I should never have made that mistake. I have seen him very properly enforce that rule on more than one occasion; and if I have transgressed it in what I have had to say this afternoon, I regret it; but the chances are that I could not have offended against the rule because other Senators have interrupted me. I had the floor.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. ALDRICH. I did not rise to ask the Senator to yield. I rise to a question of order.

Mr. BAILEY. Then I decline to yield the floor until after the Senator has stated what he rises for.

Mr. ALDRICH. Mr. President—

Mr. BAILEY. I hope the Senator will wait a moment.

Mr. ALDRICH. I rise to a question of order, Mr. President.

The PRESIDENT pro tempore. The Senator from Rhode Island will state his point of order.

Mr. BAILEY. I make the point of order that one point of order is already pending.

Mr. ALDRICH. My question of order is this: The Senate is acting, by a unanimous-consent agreement, under an order of a particular kind—an order made by unanimous consent, that debate upon the pending bill and all amendments should close at 4 o'clock—and that under that order no other business whatever and no discussion is in order. The Senator from Texas and other Senators are talking about the rights of a State and of two Senators, and the Senator by his action is depriving 44 other States of their rights upon this floor and preventing any action whatever.

Mr. BAILEY. I make the point of order that it is not in order for the Senator from Rhode Island to discuss the point of order.

The PRESIDENT pro tempore. It is, if the Chair permits it.

Mr. ALDRICH. I ask the Chair to submit the question to the Senate for its decision.

The PRESIDENT pro tempore. The Senator from Rhode Island makes the point of order that under the unanimous-consent agreement the Senate must proceed with the votes upon the pending bill and the amendments thereto, and the Senator requests the Chair to submit that question to the Senate. The Chair submits the question to the Senate.

Mr. BAILEY. I demand the yeas and nays.

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. ALDRICH. I understand a vote in the affirmative means to sustain the point of order.

The PRESIDENT pro tempore. Senators sustaining the point of order will, as their names are called, vote "yea" and those opposed will vote "nay."

The Secretary proceeded to call the roll.

Mr. BAILEY (when his name was called). Mr. President, in view of the fact that I have been taken from the floor on this question, I decline to vote.

Mr. DILLINGHAM. I have a general pair with the Senator from South Carolina [Mr. TILLMAN], but I think, under the circumstances, I shall decline to vote. If I were at liberty to vote, I should vote "yea."

Mr. ELKINS (when his name was called). I am paired with the junior Senator from Texas [Mr. BAILEY], who will not vote; and I should like to know whether I can vote.

Mr. BAILEY. I freely agree that the Senator from West Virginia may vote, if he votes right.

Mr. ELKINS. I will vote right. I vote "yea."

Mr. HALE (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]. If he were present, he would vote "nay" and I should vote "yea."

Mr. McMILLAN (when his name was called). I announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. MCENERY (after having voted in the affirmative). Inadvertently voted "yea." The junior Senator from New York [Mr. DEPEW], with whom I am paired, is absent, and I therefore withdraw my vote.

The result was announced—yeas 46, nays 25; as follows:

YEAS—46.

Aldrich,	Dryden,	Kean,	Pritchard,
Allison,	Elkins,	Kearns,	Proctor,
Bard,	Fairbanks,	Kittredge,	Quarles,
Burnham,	Foraker,	Lodge,	Scott,
Burrows,	Foster, Wash.	McComas,	Simon,
Burton,	Frye,	Millard,	Spooner,
Clapp,	Gallinger,	Mitchell,	Stewart,
Clark, Wyo.	Gamble,	Nelson,	Warren,
Cullom,	Hanna,	Penrose,	Wellington,
Deboe,	Hansbrough,	Perkins,	Wetmore.
Dietrich,	Hawley,	Platt, Conn.	
Dolliver,	Hoar,	Platt, N. Y.	

NAYS—25.

Bacon,	Dubois,	Martin,	Taliaferro.
Bate,	Foster, La.	Mason,	Teller,
Berry,	Gibson,	Money,	Turner,
Carmack,	Heitfeld,	Patterson,	Vest.
Clark, Mont.	Jones, Nev.	Pettus,	
Clay,	McLaurin, Miss.	Rawlins,	
Culberson,	Mallory,	Simmons,	

NOT VOTING—17.

Bailey,	Depew,	McCumber,	Quay,
Beveridge,	Dillingham,	McEnery,	Tillman.
Blackburn,	Hale,	McLaurin, S. C.	
Cockrell,	Harris,	McMillan,	
Daniel,	Jones, Ark.	Morgan,	

So the Senate sustained the point of order.

Mr. HALE. Mr. President, I rise to a question of the order of business. I ask that the pending amendment be stated.

The PRESIDENT pro tempore. The pending amendment will be stated.

Mr. TURNER. Mr. President, I do not rise for the purpose of debate—

Mr. HALE. I do not yield the floor.

Mr. TURNER. I do not rise for the purpose of debate. I rise for the purpose of presenting to the Senate, on behalf of the senior Senator from South Carolina [Mr. TILLMAN], a protest against this action; which I ask may be spread upon the Journal of the Senate and printed in the RECORD.

Mr. ALDRICH, Mr. HOAR, and others. That is not in order now.

Mr. TURNER. Whenever it is in order, I ask that it be spread upon the Journal of the Senate and printed in the RECORD.

The PRESIDENT pro tempore. There is no amendment pending except the one offered by the minority of the committee.

Mr. HALE. Let that be stated.

Mr. TELLER. I gave notice of an amendment that I intended to offer, and I offer it now.

The PRESIDENT pro tempore. The Chair does not wish to be misunderstood. There are quite a number of amendments printed and on the table.

Mr. TELLER. I send to the Chair the amendment of which I gave notice some time ago.

Mr. HALE. I did not yield the floor, Mr. President.

The PRESIDENT pro tempore. The Chair did not understand that the Senator from Maine had yielded the floor.

Mr. HOAR. How can the Senator have the floor?

Mr. HALE. Let the amendment be read.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Colorado [Mr. TELLER] will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following as a new section:

SEC. 8. That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Philippine Archipelago as elsewhere within the United States.

Mr. TELLER. I ask for the yeas and nays on that amendment.

Mr. MALLORY. I ask that the amendment be again read. Owing to the confusion it was not heard in the Chamber.

The PRESIDENT pro tempore. The Senate will please come to order, and guests in the rear of the Chamber will take seats. The amendment will be again read.

The Secretary again read the amendment proposed by Mr. TELLER.

The PRESIDENT pro tempore. The Senator from Colorado [Mr. TELLER] demands the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN's name was called). The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. McMILLAN]. If the Senator from Kentucky were present, he would vote "yea."

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced, I am at liberty to vote, and vote "nay."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN], and therefore withhold my vote on this question. I should vote "nay" if at liberty to vote.

Mr. HALE (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]. If he were present he would vote "yea" and I should vote "nay." I make this announcement of our general pair upon this bill and amendments that I may not be obliged to take the time of the Senate by continually iterating and reiterating it.

Mr. McMILLAN (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. HANSBROUGH. I inquire if my name is recorded as having voted?

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator's name is not recorded.

Mr. HANSBROUGH. I vote "nay."

The result was announced—yeas 26, nays 47; as follows:

YEAS—26.

Bacon,	Cockrell,	Mallory,	Simmons,
Bailey,	Culberson,	Martin,	Taliaferro,
Bate,	Dubois,	Money,	Teller,
Berry,	Foster, La.	Morgan,	Vest,
Carmack,	Gibson,	Patterson,	Wellington.
Clark, Mont.	Heitfeld,	Pettus,	
Clay,	McLaurin, Miss.	Rawlins,	

NAYS—47.

Aldrich,	Dryden,	Jones, Nev.	Platt, Conn.
Allison,	Elkins,	Kean,	Platt, N. Y.
Bard,	Fairbanks,	Kearns,	Pritchard,
Burnham,	Foraker,	Kittredge,	Proctor,
Burrows,	Foster, Wash.	Lodge,	Quarles,
Burton,	Frye,	McComas,	Scott,
Clapp,	Gallinger,	McCumber,	Simon,
Clark, Wyo.	Gamble,	Millard,	Spooner,
Cullom,	Hanna,	Mitchell,	Stewart,
Deboe,	Hansbrough,	Nelson,	Turner,
Dietrich,	Hawley,	Penrose,	Wetmore.
Dolliver,	Hoar,	Perkins,	

NOT VOTING—15.

Beveridge,	Dillingham,	McEnery,	Quay,
Blackburn,	Hale,	McLaurin, S. C.	Tillman,
Daniel,	Harris,	McMillan,	Warren.
Depew,	Jones, Ark.	Mason,	

So the amendment was rejected.

Mr. HOAR. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Massachusetts offers an amendment which will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following:

No person in the Philippine Islands shall, under the authority of the United States, be convicted of treason by any tribunal, civil or military, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Mr. HOAR. I ask for the yeas and nays on the question of agreeing to the amendment.

Mr. LODGE. I stated in the Senate in behalf of the committee that I would accept the amendment, but of course I have no objection to the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN]. I am advised that if he were at liberty to vote, he would vote "yea." As I would vote the same way, I will vote. I vote "yea."

Mr. McMILLAN (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The roll call was concluded.

Mr. TALIAFERRO (after having voted in the affirmative). Has the junior Senator from West Virginia [Mr. SCOTT] voted?

The PRESIDING OFFICER. The Chair is informed that he has not.

Mr. TALIAFERRO. I ask leave to recall my vote, being paired with that Senator.

The result was announced—yeas 69, nays 0; as follows:

YEAS—69.

Allison,	Dillingham,	Hoar,	Pettus,
Bacon,	Dolliver,	Jones, Nev.	Platt, Conn.
Bailey,	Dryden,	Kean,	Platt, N. Y.
Bard,	Dubois,	Kearns,	Pritchard,
Bate,	Elkins,	Kittredge,	Proctor,
Berry,	Fairbanks,	Lodge,	Quarles,
Burnham,	Foraker,	McComas,	Rawlins,
Burrows,	Foster, La.	McCumber,	Simmons,
Burton,	Foster, Wash.	McLaurin, Miss.	Simon,
Carmack,	Frye,	Mallory,	Stewart,
Clapp,	Gallinger,	Martin,	Teller,
Clark, Mont.	Gamble,	Millard,	Vest,
Clay,	Gibson,	Mitchell,	Warren,
Cockrell,	Hale,	Money,	Wellington,
Culbertson,	Hanna,	Nelson,	Wetmore,
Cullom,	Hansbrough,	Patterson,	
Deboe,	Hawley,	Penrose,	
Dietrich,	Heitfeld,	Perkins,	

NAYS—0.

NOT VOTING—19.

Aldrich,	Depew,	McMillan,	Spooner,
Beveridge,	Harris,	Mason,	Taliaferro,
Blackburn,	Jones, Ark.	Morgan,	Tillman,
Clark, Wyo.	McEnery,	Quay,	Turner,
Daniel,	McLaurin, S. C.	Scott,	

So Mr. HOAR's amendment was agreed to.

Mr. HOAR. I also move to insert what I send to the desk. I hope it will be accepted in the same way.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. It is proposed to add after the amendment just adopted the following:

Provided, That there shall be no conviction or punishment under the authority of the United States by any tribunal, civil or military, of any mother or father for failing to give information against his or her child, or of any son or daughter for failing to give information against his or her mother or father, or of any husband for failing to give information against his wife, or of any wife for failing to give information against her husband.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

Mr. PATTERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced I will vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). I am paired with the senior Senator from South Carolina [Mr. TILLMAN] and therefore withhold my vote. If I were at liberty to vote I should vote "nay."

Mr. McMILLAN (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The roll call having been concluded, the result was announced—yeas 38, nays 34; as follows:

YEAS—38.

Bacon,	Cockrell,	Hoar,	Pettus,
Bailey,	Culbertson,	Jones, Nev.	Rawlins,
Bard,	Dolliver,	McCumber,	Simmons,
Bate,	Dryden,	McLaurin, Miss.	Taliaferro,
Berry,	Dubois,	Mallory,	Teller,
Burnham,	Fairbanks,	Martin,	Turner,
Carmack,	Foster, La.	Money,	Vest,
Clapp,	Gibson,	Patterson,	Wellington,
Clark, Mont.	Hale,	Penrose,	
Clay,	Heitfeld,	Perkins,	

NAYS—34.

Aldrich,	Foster, Wash.	Kittredge,	Proctor,
Allison,	Frye,	Lodge,	Quarles,
Burrows,	Gallinger,	McComas,	Scott,
Clark, Wyo.	Gamble,	Millard,	Spooner,
Cullom,	Hanna,	Mitchell,	Stewart,
Deboe,	Hansbrough,	Nelson,	Warren,
Dietrich,	Hawley,	Platt, Conn.	Wetmore,
Elkins,	Kean,	Platt, N. Y.	
Foraker,	Kearns,	Pritchard,	

NOT VOTING—16.

Beveridge,	Depew,	McEnery,	Morgan,
Blackburn,	Dillingham,	McLaurin, S. C.	Quay,
Burton,	Harris,	McMillan,	Simon,
Daniel,	Jones, Ark.	Mason,	Tillman,

So the amendment was agreed to.

Mr. FORAKER. I offer an amendment, and shall ask for the yeas and nays upon it.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to strike out "seventy-five," in line 12, page 2, and insert in lieu thereof "fifty;" so as to read:

Provided, That upon all articles the growth and product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 50 per cent of the rates of duty aforesaid.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. FORAKER].

Mr. FORAKER and Mr. LODGE called for the yeas and nays, and they were ordered.

Mr. CULBERSON. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 2, line 12, strike out "seventy-five" and insert "fifty;" so that if amended the proviso will read:

Provided, That upon all articles the growth or product of the Philippine Archipelago coming into the United States from the Philippine Archipelago there shall be levied, collected, and paid only 50 per cent of the rates of duty aforesaid.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN's name was called). The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. McMILLAN]. If the Senator from Kentucky were present, he would vote "yea," and he told me to so announce to the Senate.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced, I vote "yea."

Mr. DILLINGHAM (when his name was called). Owing to my pair with the Senator from South Carolina [Mr. TILLMAN], I will withhold my vote. Were I at liberty to vote, I should vote in favor of the amendment.

Mr. MCENERY (when his name was called). I am paired with the junior Senator from New York [Mr. DEFEW]. I do not know how he would vote if he were present. If he were present, I should vote "nay."

Mr. PENROSE (when Mr. QUAY's name was called). My colleague [Mr. QUAY] is absent. He desired me to announce that if he were present he would vote in favor of the amendment.

The roll call was concluded.

Mr. McMILLAN. On this question I am paired with the Senator from Kentucky [Mr. BLACKBURN], and therefore withhold my vote.

Mr. HALE (after having voted in the negative). I withdraw my vote and announce my pair with the Senator from Arkansas [Mr. JONES].

The result was announced—yeas 29, nays 43; as follows:

YEAS—29.

Bacon,	Cullom,	Hansbrough,	Platt, N. Y.
Berry,	Dryden,	Kearns,	Quarles,
Burnham,	Fairbanks,	Mason,	Scott,
Burton,	Foraker,	Millard,	Stewart,
Clark, Wyo.	Foster, Wash.	Mitchell,	Wellington,
Clay,	Gallinger,	Nelson,	
Cockrell,	Gamble,	Penrose,	
	Gibson,	Pettus,	

NAYS—43.

Aldrich,	Dubois,	Lodge,	Rawlins,
Allison,	Elkins,	McCumber,	Simmons,
Bailey,	Foster, La.	McLaurin, Miss.	Simon,
Bard,	Frye,	Mallory,	Spooner,
Bate,	Hanna,	Martin,	Taliaferro,
Burrows,	Hawley,	Money,	Teller,
Clark, Mont.	Hawley,	Patterson,	Turner,
Culbertson,	Heitfeld,	Perkins,	Vest,
Deboe,	Hoar,	Platt, Conn.	Warren,
Dietrich,	Kean,	Pritchard,	Wetmore,
Dolliver,	Kittredge,	Proctor,	

NOT VOTING—16.

Beveridge,	Depew,	Jones, Ark.	McMillan,
Blackburn,	Dillingham,	McComas,	Morgan,
Carmack,	Hale,	McEnery,	Quay,
Daniel,	Harris,	McLaurin, S. C.	Tillman,

So the amendment was rejected.

Mr. TELLER. I desire to offer the amendment of which I gave notice some days ago.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. It is proposed to insert as additional sections the following:

SEC. —. That it is not intended by the Government of the United States to permanently annex the Philippine Islands as an integral part of the United States, but it is the determination of the United States to establish, with the consent and assistance of the inhabitants thereof, a government or governments suitable to their wants and condition, and that shall give to the inhabitants the control and administration of their local affairs, such as the raising of revenue and the disposition thereof; the maintenance of peace and order in the several communities of said islands that have been or that may be organized by the people thereof, and eventually to give them their independence.

SEC. —. That there is no intention on the part of the Government of the United States to deprive the people of said islands of their liberties or to subjugate or oppress them, but on the contrary to secure to them the blessings of a free government of their own choice that shall recognize and protect the rights and interests of all the people of said islands.

SEC. —. That it is necessary to the establishment of such government that peace and order shall prevail on said islands in order that the people thereof may be enabled to exercise the rights of freemen and to have free expression of their wishes in the form and character of the government under which they desire to live.

SEC. —. That to this end the Government of the United States will at all times cooperate with the peaceably disposed inhabitants in the formation of such governments, and will defend and protect such government or governments so organized from any foreign interference or attempted control by foreign powers until such government or governments shall be able to defend themselves.

Mr. TELLER. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of my pair with the Senator from Kansas [Mr. HARRIS], heretofore announced, I vote "nay."

Mr. DILLINGHAM (when his name was called). Owing to my pair with the Senator from South Carolina [Mr. TILLMAN], I do not feel at liberty to vote on this or any of the other questions that may come up on the bill. For that reason I shall withhold my vote.

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT].

Mr. McMILLAN (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], and therefore withhold my vote.

The roll call having been concluded, the result was announced—yeas 20, nays, 44; as follows:

YEAS—20.

Bacon,	Cockrell,	Mallory,	Simmons,
Bate,	Foster, La.	Mason,	Taliaferro,
Berry,	Gibson,	Patterson,	Teller,
Clark, Mont.	Hoar,	Pettus,	Vest,
Clay,	McLaurin, Miss.	Rawlins,	Wellington.

NAYS—44.

Aldrich,	Dolliver,	Hawley,	Penrose,
Allison,	Dryden,	Jones, Nev.	Perkins,
Bard,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Pritchard,
Burrows,	Foraker,	Kittredge,	Proctor,
Burton,	Foster, Wash.	Lodge,	Quarles,
Clapp,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Simon,
Cullom,	Gamble,	Millard,	Spooner,
Deboe,	Hanna,	Mitchell,	Stewart,
Dietrich,	Hansbrough,	Nelson,	Wetmore.

NOT VOTING—24.

Bailey,	Depew,	Jones, Ark.	Morgan,
Beveridge,	Dillingham,	McEnery,	Platt, N. Y.
Blackburn,	Dubois,	McLaurin, S. C.	Quay,
Carmack,	Hale,	McMillan,	Tillman,
Culberson,	Harris,	Martin,	Turner,
Daniel,	Heitfeld,	Money,	Warren.

So the amendment was rejected.

Mr. RAWLINS. Is the minority amendment pending, or is it necessary to offer it now?

The PRESIDENT pro tempore. It is necessary to offer it.

Mr. RAWLINS. I now offer it.

The PRESIDENT pro tempore. The Senator from Utah offers an amendment in behalf of the minority of the committee, which will be read.

Mr. LODGE. This is the substitute, is it not, for the entire bill?

The PRESIDENT pro tempore. It is the substitute for the entire bill. It will be read.

Mr. ALLISON. It has been read.

Mr. COCKRELL. Yes, it has been read.

Mr. CULLOM. It has been already read.

The PRESIDENT pro tempore. It has been read.

The amendment proposed by Mr. RAWLINS, in behalf of the minority members of the Committee on the Philippines, was to strike out all after the enacting clause of the bill and to insert:

That, subject to the provisions hereinafter set forth, the United States of America hereby relinquish all claim of sovereignty over and title to the archipelago known as the Philippine Islands.

That from and after the passage of this act said archipelago shall be foreign territory, and all goods entering the United States therefrom shall be subject to the same duties, customs, and imposts as are now, or may hereafter be, prescribed by law for goods entered from other foreign countries: *Provided*, That during the temporary occupation of said islands, as hereinafter provided, all trade between the same and the United States shall be free.

That the United States shall continue to occupy and govern said archipelago until the people thereof have established a stable government, and until sufficient guaranties have been obtained for the performance of our treaty obligations with Spain, for the safety of those inhabitants who have adhered to the United States, and for the maintenance and protection of all rights which have accrued under their authority.

That as soon as these results have been accomplished it is declared to be the purpose of the United States, which the President is directed to carry into effect, to withdraw from said islands and leave the government, control, and sovereignty thereof to the inhabitants of the same, retaining only such military, naval, and coaling stations as may be designated by the Government of the United States.

Mr. RAWLINS. On that I ask the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HEITFELD (when his name was called). I again announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. McMILLAN (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], and withhold my vote.

The roll call was concluded.

Mr. BERRY. My colleague [Mr. JONES] is paired with the Senator from Maine [Mr. HALE]. If my colleague were present, he would vote "yea." The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. McMILLAN]. The Senator from Kentucky would also vote "yea," if present.

The result was announced—yeas 25, nays 46; as follows:

YEAS—25.

Bacon,	Cockrell,	Martin,	Teller,
Bailey,	Culberson,	Money,	Turner,
Bate,	Dubois,	Patterson,	Vest,
Berry,	Foster, La.	Pettus,	Wellington.
Carmack,	Gibson,	Rawlins,	
Clark, Mont.	McLaurin, Miss.	Simmons,	
Clay,	Mallory,	Taliaferro,	

NAYS—46.

Aldrich,	Dryden,	Kean,	Platt, Conn.
Allison,	Elkins,	Kearns,	Pritchard,
Bard,	Fairbanks,	Kittredge,	Proctor,
Burnham,	Foraker,	Lodge,	Quarles,
Burrows,	Foster, Wash.	McComas,	Scott,
Burton,	Frye,	McCumber,	Simon,
Clapp,	Gallinger,	Mason,	Spooner,
Clark, Wyo.	Gamble,	Millard,	Stewart,
Cullom,	Hanna,	Mitchell,	Warren,
Deboe,	Hansbrough,	Nelson,	Wetmore.
Dietrich,	Hawley,	Penrose,	
Dolliver,	Jones, Nev.	Perkins,	

NOT VOTING—17.

Beveridge,	Hale,	McEnery,	Quay,
Blackburn,	Harris,	McLaurin, S. C.	Tillman.
Daniel,	Heitfeld,	McMillan,	
Depew,	Hoar,	Morgan,	
Dillingham,	Jones, Ark.	Platt, N. Y.	

So the amendment was rejected.

Mr. MALLORY. I offer the amendment I send to the desk.

The PRESIDENT pro tempore. The Senator from Florida offers an amendment, which will be read.

The SECRETARY. It is proposed to strike out all of section 3 and to insert:

SEC. 3. That until July 1, 1903, the same tonnage taxes shall be levied, collected, and paid upon all foreign vessels coming into the United States from the Philippine Archipelago, and in addition to any tonnage dues or taxes now imposed by the government of the Philippine Islands upon all foreign vessels, except vessels of Spain owned by Spanish subjects engaged in traffic between the ports of the Philippine Archipelago, which are required by law to be levied and collected and paid upon vessels coming into the United States from foreign countries: *Provided, however*, That until July 1, 1903, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaging in trade between the Philippine Archipelago and the United States or between ports in the Philippine Archipelago; and thereafter such provisions shall not apply to vessels of Spain owned by Spanish subjects entering the ports of the Philippine Islands until the expiration of the ten years mentioned in Article IV of the treaty of Paris of December 10, 1898: *And provided further*, That the Philippine Commission shall be authorized and empowered to issue licenses to vessels or other craft now engaged in lighterage or other exclusively harbor business, but after the passage of this act such licenses, except as herein provided, shall be issued only to vessels or other craft built in the Philippine Islands or in the United States and owned by citizens of the United States or by inhabitants of the Philippine Islands.

And it shall be the duty of the Secretary of the Treasury, as soon after the approval of this act as practicable, to make and promulgate such rules and regulations as may be necessary for the nationalization of all vessels built in the United States or in the Philippine Islands and owned at the date of the approval of this act and thereafter by inhabitants of said islands not subjects or citizens of any foreign nation; and no inhabitant of said Philippine Islands, not the subject or citizen of any foreign nation, possessed of other qualifications required by existing law to act as an officer of a merchant vessel of the United States, shall be disqualified as an officer of any vessel nationalized in accordance with the provisions of this act by reason of his not being a citizen of the United States. The coasting trade between the Philippine Islands and the United States shall be regulated in accordance with the provisions of law applicable to such trade between any two great coasting districts of the United States, and the coasting trade between the islands of the Philippine Archipelago and between said islands and the other insular possessions of the United States in the Pacific Ocean shall be regulated in accordance with the provisions of law applicable to such trade within one great coasting district of the United States.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Florida [Mr. MALLORY].

Mr. MALLORY. I ask for the yeas and nays on that amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HEITFELD (when his name was called). I announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 23, nays 42; as follows:

YEAS—23.

Bacon,	Cockrell,	Mallory,	Simmons,
Bailey,	Culberson,	Money,	Taliaferro,
Bate,	Dubois,	Patterson,	Teller,
Carmack,	Foster, La.	Perkins,	Vest,
Clark, Mont.	Gibson,	Pettus,	Wellington.
Clay,	McLaurin, Miss.	Rawlins,	

NAYS—42.

Aldrich,	Dryden,	Jones, Nev.	Platt, Conn.
Allison,	Elkins,	Kearns,	Pritchard,
Bard,	Fairbanks,	Kittredge,	Proctor,
Burnham,	Foraker,	Lodge,	Quarles,
Burrows,	Foster, Wash.	McComas,	Scott,
Burton,	Frye,	McCumber,	Simon,
Clapp,	Gallinger,	Mason,	Spooner,
Cullom,	Gamble,	Millard,	Stewart,
Deboe,	Hanna,	Mitchell,	Warren.
Dietrich,	Hansbrough,	Nelson,	
Dolliver,	Hawley,	Penrose,	

NOT VOTING—23.

Berry,	Dillingham,	McEnery,	Platt, N. Y.
Beveridge,	Hale,	McLaurin, S. C.	Quay,
Blackburn,	Harris,	McMillan,	Tillman,
Clark, Wyo.	Heitfeld,	Martin,	Turner,
Daniel,	Hoar,	Mason,	Wetmore.
Depew,	Jones, Ark.	Morgan,	

So the amendment was rejected.

Mr. VEST. Mr. President, I now ask for a vote on the amendment I offered.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Missouri will be stated.

The SECRETARY. It is proposed at the end of the bill to add the following as a new section:

SEC. 8. Nothing herein contained shall be held to mean that the United States intends to incorporate the inhabitants of the Philippine Islands into citizenship of the United States, nor is it intended to retain permanently said islands as an integral part of the United States, but it is the intention of the United States to establish on said islands a government suitable to the wants and conditions of the inhabitants of said islands to prepare them for local self-government, and in due time to make such disposition of said islands as will best promote the interests of the citizens of said States and the inhabitants of said islands.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Missouri.

Mr. VEST. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). Under the transfer of pairs heretofore announced, I vote "nay."

Mr. PETTUS. I desire to suggest to the Senator from Wyoming [Mr. CLARK] that, as I understood, he exchanged his pair with the senior Senator from Alabama [Mr. MORGAN], both their pairs being absent. Is that correct?

Mr. CLARK of Wyoming. I transferred my pair to the Senator from Pennsylvania [Mr. QUAY]. If he is paired with the Senator from Alabama [Mr. MORGAN], I withdraw my vote.

Mr. PETTUS. My colleague [Mr. MORGAN] is paired with the Senator from Pennsylvania [Mr. QUAY], and is absent.

Mr. CLARK of Wyoming. Then I withdraw my vote.

Mr. HEITFELD. I suggest to the Senator from Wyoming that we transfer our pairs, I being paired with the senior Senator from New York [Mr. PLATT], and that will leave the Senator from Wyoming and myself at liberty to vote.

Mr. CLARK of Wyoming. That is perfectly satisfactory, and I will let my vote stand.

Mr. McMILLAN (when his name was called). I again announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. McENERY. I am paired with the junior Senator from New York [Mr. DEPEW]. If he were present, I should vote "yea."

The result was announced—yeas 24, nays 43; as follows:

YEAS—24.

Booan,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Simmons,
Bate,	Culberson,	Mallory,	Taliaferro,
Berry,	Dubois,	Money,	Teller,
Carmack,	Foster, La.	Patterson,	Vest,
Clark, Mont.	Gibson,	Pettus,	Wellington.

NAYS—43.

Aldrich,	Dolliver,	Hoar,	Perkins,
Allison,	Dryden,	Jones, Nev.	Platt, Conn.
Bard,	Fairbanks,	Kearns,	Pritchard,
Burnham,	Foraker,	Kittredge,	Proctor,
Burrows,	Foster, Wash.	Lodge,	Quarles,
Burton,	Frye,	McComas,	Scott,
Clapp,	Gallinger,	McCumber,	Simon,
Clark, Wyo.	Gamble,	Millard,	Spooner,
Cullom,	Hanna,	Mitchell,	Stewart,
Deboe,	Hansbrough,	Nelson,	Wetmore.
Dietrich,	Hawley,		

NOT VOTING—21.

Beveridge,	Hale,	Martin,	Tillman,
Blackburn,	Harris,	Mason,	Turner,
Daniel,	Jones, Ark.	Morgan,	Warren.
Depew,	McEnery,	Penrose,	
Dillingham,	McLaurin, S. C.	Platt, N. Y.	
Elkins,	McMillan,	Quay,	

So the amendment was rejected.

The bill was reported to the Senate as amended.

Mr. HOAR. I ask for the yeas and nays on the passage of the bill.

The PRESIDENT pro tempore. If there be no objection, the vote in the Senate on the amendments made as in Committee of the Whole will be taken in gross. The Chair hears no objection. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments made as in Committee of the Whole were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question now is, Shall the bill pass? On this question the Senator from Massachusetts [Mr. HOAR] demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN's name was called). The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Michigan [Mr. McMILLAN]. The Senator from Kentucky, if present, would vote "nay."

While on my feet, I will announce that my colleague [Mr. JONES of Arkansas] is paired with the Senator from Maine [Mr. HALE]. If my colleague were present, he would vote "nay," and the Senator from Maine would vote "yea."

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT], but by arrangement with the senior Senator from Wyoming [Mr. CLARK], we have transferred our pairs, which leaves the Senator from Wyoming and myself at liberty to vote. I vote "nay."

Mr. McENERY (when his name was called). I am paired with the junior Senator from New York [Mr. DEPEW]. If he were present, I should vote "nay."

Mr. McMILLAN (when his name was called). I again announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 45, nays 26; as follows:

YEAS—45.

Aldrich,	Dryden,	Kean,	Pritchard,
Allison,	Fairbanks,	Kearns,	Proctor,
Bard,	Foraker,	Kittredge,	Quarles,
Burnham,	Foster, Wash.	Lodge,	Scott,
Burrows,	Frye,	McComas,	Simon,
Burton,	Gallinger,	McCumber,	Spooner,
Clapp,	Gamble,	Mason,	Stewart,
Clark, Wyo.	Hanna,	Millard,	Warren,
Cullom,	Hansbrough,	Mitchell,	Wetmore.
Deboe,	Hawley,	Nelson,	
Dietrich,	Hoar,	Perkins,	
Dolliver,	Jones, Nev.	Platt, Conn.	

NAYS—26.

Bacon,	Cockrell,	Mallory,	Taliaferro,
Bailey,	Culberson,	Martin,	Teller,
Bate,	Dubois,	Money,	Turner,
Berry,	Foster, La.	Patterson,	Vest,
Carmack,	Gibson,	Pettus,	Wellington.
Clark, Mont.	Heitfeld,	Rawlins,	
Clay,	McLaurin, Miss.	Simmons,	

NOT VOTING—17.

Beveridge,	Elkins,	McLaurin, S. C.	Quay,
Blackburn,	Hale,	McMillan,	Tillman.
Daniel,	Harris,	Morgan,	
Depew,	Jones, Ark.	Penrose,	
Dillingham,	McEnery,	Platt, N. Y.	

So the bill was passed.

Mr. LODGE. I move that the Senate do now adjourn.

The PRESIDENT pro tempore. Before putting that motion, the Chair will lay before the Senate the unfinished business—

Mr. HOAR. I wish there might be a brief executive session.

The PRESIDENT pro tempore. The Chair will first lay before the Senate the unfinished business, being the bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

The Senator from Washington [Mr. TURNER] has asked unanimous consent that a protest against the decision of the Chair, as the Chair understands it, might be filed and printed in the RECORD.

Mr. HOAR. Let that go over until to-morrow.

Mr. TURNER. The Chair does not state that accurately. I do not ask unanimous consent. I present the protest as a right under the Constitution of the United States in behalf of the senior Senator from South Carolina [Mr. TILLMAN], and ask that it be spread upon the Journal of this body and printed in the RECORD.

Mr. PLATT of Connecticut. I object, Mr. President.

The PRESIDENT pro tempore. The Senator from Massachusetts has moved—

Mr. HOAR. If my colleague will allow me, I wish to move a brief executive session.

Mr. LODGE. Certainly.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 56 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 25, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, February 24, 1902.

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

We bless Thee, Almighty God, our heavenly Father, that republics are not always ungrateful; that the people of the United States remember with gratitude the distinguished services of their illustrious sons as witnessed by the demonstrations in honor of our beloved Washington and in the encomiums pronounced upon his life and character. We honor him for what he was and what he did, and shall ever hold him up to the world as the Father of his Country.

We thank Thee, too, that we can lay aside whatever prejudices we may have against other forms of government and extend cordially a friendly greeting to a visiting representative of a sister nation and welcome him to our hospitable shores; and we pray that the friendly relations which have always existed between this Government and Germany may continue forever; that the distinguished visitor may return in safety to his people with pleasant recollections of his visit, our people, and their sacred institutions; and Thine shall be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, February 21, 1902, was read and approved.

LIGHT-HOUSE, KEWAUNEE, WIS.

Mr. MINOR. Mr. Speaker, I ask unanimous consent for the present consideration of House bill 6300, to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the sum of \$7,500, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the construction of a dwelling for the keeper of the light-house at Kewaunee, in the State of Wisconsin, in accordance with the recommendations of the Light-House Board.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICHARDSON of Tennessee. I want to ask the gentleman what committee has reported this bill?

Mr. MINOR. The Committee on Interstate and Foreign Commerce. That committee reports it unanimously.

Mr. RICHARDSON of Tennessee. Is it recommended by any of the various departments?

Mr. MINOR. The Light-House Board have earnestly recommended this legislation. Some fifteen years ago a light-house was constructed on the end of the harbor at Kewaunee, Wis., about 600 feet out in Lake Michigan, and a keeper was employed at a salary of \$560 a year. Some six years ago a steam fog whistle was added to the light-keeper's outfit, and an additional keeper employed at a salary of \$450 per year. A keeper's dwelling has never been provided for those people, and the result is that they have been compelled to rent dwellings far removed from the light-house on account of the peculiar formation of the shore, and it is very inconvenient for those people to comply with the rules of the Light-House Board, and the Light-House Board has recommended this numerous times, but it has never as yet received any consideration at the hands of the House.

The SPEAKER. Is there objection? The Chair hears none.

The amendment recommended by the committee was read, and agreed to, as follows:

Strike out all after the enacting clause and substitute in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized to erect a dwelling for the keeper of the light-house at Kewaunee, Wis., at a cost not to exceed the sum of \$5,000."

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MINOR, a motion to reconsider the last vote was laid on the table.

JUDICIAL DISTRICTS, TEXAS.

Mr. BALL of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 11611) to divide the State of Texas into four judicial districts.

Be it enacted, etc., That the State of Texas is divided into four judicial districts, which shall be called the northern, the eastern, the southern, and the western judicial districts of the State of Texas.

The northern judicial district includes the following counties and the waters thereof:

Navarro, Johnson, Ellis, Kaufman, Dallas, Rockwall, Hunt, Comanche, Hood, Erath, Tarrant, Parker, Palo Pinto, Wise, Clay, Jack, Young, Wichita, Wilbarger, Archer, Baylor, Cottle, Hardeman, Motley, Biscoe, Hall, Childress,

Collingsworth, Donley, Armstrong, Deaf Smith, Randall, Oldham, Potter, Carson, Gray, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Hutchinson, Hansford, Sherman, Moore, Hartley, Dallam, Eastland, Stephens, Throckmorton, Shackelford, Callahan, Taylor, Jones, Haskell, Knox, Nolan, Fisher, Stonewall, Kent, Dickens, King, Crosby, Garza, Lubbock, Gaines, Andrews, Mitchell, Scurry, Borden, Howard, Martin, Midland, Glasscock, Sterling, Coke, Tom Green, Crockett, Schleicher, Sutton, Irion, Mills, Runnels, Coleman, Brown, Bailey, Castro, Cochran, Dawson, Floyd, Foard, Hale, Hockley, Lamb, Lynn, Parmer, Swisher, Terry, Upton, Yoakum, Concho, and Menard.

The eastern judicial district includes the following counties and the waters thereof:

Cooke, Denton, Montague, Collin, Grayson, Liberty, Jefferson, Orange, Newton, Jasper, Hardin, Tyler, San Augustine, Sabine, Shelby, Nacogdoches, Angelina, Houston, Anderson, Cherokee, Panola, Rusk, Smith, Henderson, Van Zandt, Rains, Gregg, Wood, Upshur, Harrison, Marion, Cass, Bowie, Red River, Titus, Camp, Hopkins, Morris, Franklin, Lamar, Fannin, and Delta.

The southern judicial district includes the following counties and the waters thereof:

Polk, Trinity, Madison, Brazos, Grimes, Walker, San Jacinto, Montgomery, Harris, Chambers, Galveston, Brazoria, Fort Bend, Waller, Austin, Colorado, Lavaca, Wharton, Matagorda, Jackson, Victoria, Goliad, Calhoun, Refugio, Aransas, San Patricio, Nueces, Cameron, Hidalgo, Starr, Zapata, Webb, Dimmit, Lasalle, McMullen, and Duval.

The western judicial district includes the following counties and the waters thereof:

Maverick, Bee, Live Oak, Karnes, Dewitt, Gonzales, Guadalupe, Wilson, Atascosa, Bexar, Comal, Kendall, Kerr, Edwards, Bandera, Medina, Frio, Zavalla, Uvalde, Kinney, Pecos, Presidio, El Paso, Fayette, Washington, Burleson, Milam, Robertson, Leon, Freestone, Limestone, Hill, Bosque, Somervell, Hamilton, Coryell, McLennan, Falls, Bell, Williamson, Lee, Bastrop, Caldwell, Hays, Travis, Blanco, Burnet, Gillespie, Llano, Mason, McCulloch, Kimble, San Saba, Lampasas, Brewster, Winkler, Ward, Valverde, Crane, Ector, Jeff Davis, Loving, and Reeves.

SEC. 2. That the district judge of the northern judicial district as heretofore constituted and in office when this act takes effect shall be the district judge of the northern judicial district as hereby constituted; the district judge of the eastern judicial district as heretofore constituted and in office when this act takes effect shall be the district judge of the eastern judicial district as hereby constituted, and the district judge of the western judicial district as heretofore constituted and in office when this act takes effect shall be the district judge of the western judicial district as hereby constituted.

The President of the United States, by and with the advice and consent of the Senate, shall appoint a district judge for the southern judicial district of Texas as hereby constituted, who shall possess and exercise all the powers conferred by existing law upon the judges of the district courts of the United States, and who shall, as to all business and proceedings arising in said southern judicial district as hereby constituted or transferred thereto, succeed to and possess the same powers and perform the same duties within said southern judicial district as are now possessed and performed by the district judges of the judicial districts in said State of Texas.

SEC. 3. That the clerk of the circuit court and the clerk of the district court in the northern judicial district as heretofore constituted and in office when this act takes effect shall continue to be the clerks of the circuit and district courts, respectively, of the northern judicial district as hereby constituted, until their successors respectively shall be appointed and qualified.

The clerk of the circuit court and the clerk of the district court of the eastern judicial district as heretofore constituted and in office when this act takes effect shall be the clerks of the said courts, respectively, in the southern judicial district as hereby constituted until their successors respectively shall be appointed and qualified. The district judge of the said eastern judicial district as hereby constituted is hereby authorized and empowered to appoint a clerk of the district court in said district, and the judge of the circuit court is authorized and empowered to appoint a clerk of said circuit court in said district in the manner provided by law and said clerks respectively shall possess the powers and perform the duties within said judicial district conferred by law on the clerks of circuit and district courts.

The clerk of the circuit court and the clerk of the district court of the western judicial district as heretofore constituted shall continue to be the clerks of the circuit and district courts, respectively, of the western judicial district as hereby constituted until their successors respectively shall be appointed and qualified.

SEC. 4. That the marshals of the northern, eastern, and western judicial districts as heretofore constituted and in office when this act takes effect shall continue to be the marshals of said northern, eastern, and western judicial districts as hereby constituted, respectively, and until their successors, respectively, shall be appointed and qualified.

The President of the United States, by and with the advice and consent of the Senate, shall appoint a marshal for the southern judicial district of Texas as hereby constituted, who shall within his jurisdiction possess and exercise all the powers conferred by existing law upon the marshals of the United States.

SEC. 5. That the district attorneys for the northern and western judicial districts as heretofore constituted shall continue to be the district attorneys of the northern and western judicial districts as hereby constituted, respectively, and until their successors, respectively, are appointed and qualified.

The district attorney for the eastern judicial district as heretofore constituted shall continue to be the district attorney for the southern judicial district as hereby constituted and until his successor is appointed and qualified, with the same salary he is now receiving.

The President of the United States, by and with the advice and consent of the Senate, shall appoint a district attorney for said eastern judicial district of Texas as hereby constituted, who within his jurisdiction shall possess and exercise all the power conferred by existing law upon the district attorneys of the United States.

SEC. 6. That the office of judge, marshal, and district attorney in each of said judicial districts, deputy marshals and assistant district attorneys, and all other officers authorized by law and made necessary by the division of the State of Texas into four judicial districts and by the provisions of this act, and all vacancies created by said division, in either of said districts, as constituted by this act or hereafter occurring, shall be filled in the manner provided by existing law. The salaries, pay, fees, and allowances of the judges, district attorneys, marshals, clerks, and other officers in said districts, until changed under the provisions of existing law, shall be the same, respectively, as now fixed by law for such officers in the said judicial districts of Texas as heretofore constituted, except as herein provided.

SEC. 7. That all causes and proceedings of every name and nature, civil and criminal, now pending in the courts of the judicial districts of the State of Texas as heretofore constituted, whereof the courts of the southern judicial district of the State of Texas as hereby constituted would have had jurisdiction if said district and the courts thereof had been constituted when said causes or proceedings were instituted, shall be, and the same are hereby, transferred to and the same shall be proceeded with in the southern judicial district of the State of Texas as hereby constituted, and jurisdiction thereof is

hereby transferred to and vested in the courts of said southern judicial district, and the records and proceedings therein and relating to said proceedings and causes shall be certified and transferred thereto; and all causes and proceedings of every name and nature, civil and criminal, now pending in the courts of the several judicial districts of Texas as heretofore constituted, whereof the courts of the several judicial districts of the State of Texas as hereby constituted would have had jurisdiction if said districts and the courts thereof had been constituted as under the provisions of this act when said causes or proceedings were instituted, shall be, and the same are hereby, transferred to, and the same shall be proceeded with, in the said several judicial districts of the State of Texas as hereby constituted the same as if said judicial districts had been constituted and created as by the provisions of this act when such causes or proceedings were instituted, and jurisdiction thereof is hereby transferred to and vested in the courts of said judicial districts, respectively, as hereby constituted, and the records and proceedings therein and relating to said proceedings and causes shall be certified and transferred thereto: *Provided*, That all motions and causes submitted and all causes and proceedings, both civil and criminal, including proceedings in bankruptcy, now pending in the judicial districts of Texas as heretofore constituted in which the evidence has been taken in whole or in part before the present district judges of the judicial districts of Texas as heretofore constituted, or taken in whole or in part and submitted and passed upon by the said district judges, respectively, shall be proceeded with and disposed of in the said judicial districts, respectively, as heretofore constituted, where said motions and causes were submitted or where such evidence was taken in whole or in part and submitted and passed upon as hereinbefore mentioned.

SEC. 8. That all prosecutions for crimes or offenses hereafter committed in either of said judicial districts as hereby constituted shall be cognizable within the district in which committed, and all prosecutions for crimes or offenses committed before the passage of this act in which indictments have not yet been found or proceedings instituted shall be cognizable within the judicial district as hereby constituted in which such crimes or offenses were committed.

SEC. 9. That all process issued against defendants residing in the counties of Navarro, Johnson, Ellis, Kaufman, Dallas, Rockwall, and Hunt shall be returned to Dallas.

That all process issued against defendants residing in the counties of Comanche, Hood, Erath, Tarrant, Parker, Palo Pinto, Wise, Clay, Jack, Young, Archer, Wichita, Wilbarger, Baylor, Bailey, Hardeman, Cottle, Motley, Briscoe, Hall, Childress, Collingsworth, Donley, Armstrong, Randall, Deaf Smith, Oldham, Potter, Carson, Gray, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Hutchinson, Hansford, Sherman, Moore, Hartley, Dallam, Foard, Parmer, Swisher, Castro, Lamb, Hale, Floyd, Cochran, Dawson, and Hockley shall be returned to Fort Worth.

That all process issued against defendants residing in the counties of Eastland, Stephens, Throckmorton, Shackelford, Callahan, Taylor, Jones, Haskell, Knox, Nolan, Fisher, Stonewall, Kent, Dickens, King, Crosby, Garza, Lubbock, Gaines, Andrews, Mitchell, Scurry, Borden, Howard, Martin, Midland, Yoakum, Terry, and Lynn shall be returned to Abilene.

That all process issued against defendants residing in the counties of Glasscock, Sterling, Coke, Tom Green, Crockett, Schleicher, Sutton, Irion, Mills, Bunnels, Coleman, Concho, Menard, Brown, and Upton shall be returned to San Angelo.

That all process issued against defendants residing in the counties of Fayette, Washington, Burleson, Williamson, Lee, Bastrop, Caldwell, Hays, Travis, Blanco, Gillespie, Burnet, Llano, Mason, Kimble, McCulloch, San Saba, and Lampasas shall be returned to Austin.

That all process issued against defendants residing in the counties of Bee, Live Oak, Karnes, Dewitt, Gonzales, Guadalupe, Wilson, Atascosa, Bexar, Comal, Kendall, Kerr, Edwards, Bandera, Medina, Frio, Uvalde, Zavalla, Kinney, Maverick, and Valverde shall be returned to San Antonio.

That all process issued against defendants residing in the counties of El Paso, Pecos, Presidio, Reeves, Loving, Winkler, Ward, Ector, Crane, Jeff Davis, and Brewster shall be returned to El Paso.

That all process issued against defendants residing in the counties of Zapata, Webb, Duval, Dimmit, Lasalle, McMullen, Nueces, San Patricio, Aransas, and Refugio shall be returned to Laredo.

That all process issued against defendants residing in the counties of Shelby, Nacogdoches, Angelina, Houston, Anderson, Cherokee, Panola, Rusk, Smith, Henderson, Van Zandt, Rains, Gregg, and Wood shall be returned to Tyler.

That all process issued against defendants residing in the counties of Jefferson, Liberty, Orange, Newton, Jasper, Hardin, Tyler, San Augustine, and Sabine shall be returned to Beaumont.

That all process issued against defendants residing in the counties of Grayson, Cooke, Montague, Denton, and Collin shall be returned to Sherman.

That all process issued against defendants residing in the counties of Upshur, Harrison, Marion, Cass, Bowie, Titus, Camp, Hopkins, Morris, and Franklin shall be returned to Jefferson.

That all process issued against defendants residing in the counties of Lamar, Fannin, Red River, and Delta shall be returned to Paris.

That all process issued against defendants residing in the counties of Milam, Robertson, Leon, Limestone, Freestone, McLennan, Falls, Bell, Coryell, Hamilton, Bosque, Somervell, and Hill shall be returned to Waco.

That all process issued against defendants residing in the counties of Cameron, Hidalgo, and Starr shall be returned to Brownsville.

That all process issued against defendants residing in the counties of Austin, Fort Bend, Matagorda, Wharton, Brazoria, Galveston, and Chambers shall be returned to Galveston.

That all process issued against defendants residing in the counties of Go-had, Victoria, Calhoun, Jackson, Lavaca, Colorado, Waller, Grimes, Brazos, Madison, Trinity, Walker, Montgomery, San Jacinto, Polk, and Harris shall be returned to Houston.

SEC. 10. That all process issued against defendants residing in any county which may hereafter be created by law shall be returned to the nearest place for holding court in the judicial district within which said county is formed. That if there be more than one defendant, and they reside in different divisions of the district or in different districts, the plaintiff may sue in either division, or in either district in which one or more defendants may reside, and send duplicate writ or writs to the other defendant or defendants, on which the clerk issuing the writ shall indorse that the writ thus sent is a copy of a writ sued out of the court of the proper division of said district, and said writs, when executed and returned into the office from which they were issued, shall constitute one suit, and be proceeded in accordingly: *Provided*, That suits and actions affecting the title to or to foreclose liens on real estate shall be brought in the district and in the division thereof in which said real estate is, in whole or in part, situate.

SEC. 11. That the United States circuit and district courts for the southern district of Texas shall be held in each year at the times and places as follows: At Galveston, in the county of Galveston, on the second Monday of January and the first Monday of June.

At Houston, in the county of Harris, on the fourth Monday of February and the fourth Monday of September.

At Laredo, in the county of Webb, on the third Monday of April and the second Monday of November.

At Brownsville, in the county of Cameron, on the second Monday of May and the first Monday of December.

SEC. 12. That the United States circuit and district courts for the northern district of Texas shall be held in each year at the times and places as follows: At Dallas, in the county of Dallas, on the second Monday of January and the first Monday of May.

At Fort Worth, in the county of Tarrant, on the first Monday of November and the second Monday of March.

At Abilene, in the county of Taylor, on the first Monday of October and the second Monday of April.

At San Angelo, in the county of Tom Green, on the third Monday of October and the fourth Monday of April.

SEC. 13. That the United States circuit and district courts for the eastern district of Texas shall be held in each year at the times and places as follows: At Tyler, in the county of Smith, on the fourth Monday of January and the fourth Monday of April.

At Jefferson, in the county of Marion, on the first Monday of October and the third Monday of February.

At Beaumont, in the county of Jefferson, on the third Monday of November and the first Monday of April.

At Sherman, in the county of Grayson, on the first Monday of January and the third Monday of May.

At Paris, in the county of Lamar, on the fourth Monday of October and the second Monday of March.

SEC. 14. That the United States circuit and district courts for the western district of Texas shall be held in each year at the times and places as follows: At Austin, in the county of Travis, on the third Monday of January and the second Monday of June.

At Waco, in the county of McLennan, on the first Monday of March and the fourth Monday of September.

At San Antonio, in the county of Bexar, on the second Monday of April and the fourth Monday of November.

At El Paso, in the county of El Paso, on the second Monday of May and the first Monday of November.

SEC. 15. That the marshal and district attorney for the southern judicial district of the State of Texas created and appointed under the provisions of this act shall each receive a compensation or salary of \$3,500 per annum, payable as the marshals and district attorneys in the other districts are paid under the provisions of existing law, and the marshals and their deputies shall give the bond required of marshals and deputy marshals under the provisions of existing law.

SEC. 16. That the clerk of the district court appointed in the southern judicial district as created by this act shall reside at one of the places designated therein for holding courts, and such clerk shall appoint at least three deputies, one of whom shall reside at each of the other places in said district designated for holding courts therein.

SEC. 17. That each of the referees in bankruptcy residing in the several judicial districts of the State of Texas as constituted by this act shall continue to act as such within their respective districts, and all proceedings commenced and pending before them, respectively, at the time this act goes into effect shall be continued and disposed of in the court and district to which jurisdiction thereof is given by the provisions of this act.

SEC. 18. That all laws and parts of laws, so far as inconsistent with the provisions of this act, are hereby repealed.

SEC. 19. No provision in this act contained shall be construed to continue in office any officer of said courts or judicial districts for a term longer than that for which he was appointed or to limit or restrict the power of removal in accordance with the provisions of existing law.

SEC. 20. That this act shall take effect on the last day of July, 1902.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Reserving the right to object, I would like to ask the gentleman from Texas [Mr. BALL] some questions. I understand that the object of all the language that we have been listening to in this bill is to create another district court in the State of Texas. I have been so informed.

Mr. BALL of Texas. The bill has two purposes, first to create a new judicial district in Texas, and second, to reorganize and rearrange the existing three districts, so as to equalize the work of the different judges and procure the proper dispatch of the business pending in the Federal courts.

Mr. PAYNE. So that it will give four districts, instead of three?

Mr. BALL of Texas. It gives an additional district; yes.

Mr. PAYNE. And I understand that the population of Texas has increased a million in the last decade?

Mr. BALL of Texas. Yes.

Mr. PAYNE. I have also understood—I do not know how true it is—that since the recent discovery of oil in Texas, and the development of business resources there, that some of the stringent anti-trust laws have gone into innocuous desuetude, so to speak.

Mr. BALL of Texas. I do not think that is true so far as the laws are concerned.

Mr. LANHAM. That is a great mistake.

Mr. PAYNE. You draw a distinction between the laws and the enforcement of them?

Mr. BALL of Texas. There is sometimes a difference.

Mr. LANHAM. Those laws are being very vigorously enforced.

Mr. PAYNE. They are?

Mr. LANHAM. Yes; and they ought to be.

Mr. PAYNE. When has there been a case?

Mr. BALL of Texas. I will state to the gentleman from New York [Mr. PAYNE] and to the House that this bill has had a very exhaustive consideration at the hands of the Judiciary Committee; that it was considered first by the committee as a whole and then referred to a subcommittee, which reported upon it favorably, and that subsequently the chairman of the Judiciary Committee [Mr. RAY] has gone very carefully over it, and it is now reported

unanimously from the committee, that the district which the bill creates is necessary for the proper conduct of the Federal court business of Texas.

Mr. PAYNE. I want to say to the gentleman from Texas [Mr. BALL] that I think he presents a great deal better case for another district than any I have heard for some time.

Mr. BALL of Texas. I thank the gentleman from New York. Mr. JONES of Washington. I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman from Texas yield?

Mr. BALL of Texas. Yes.

Mr. JONES of Washington. Does the report of the committee state in detail the amount of business?

Mr. BALL of Texas. What is the question?

Mr. JONES of Washington. Does the report of the committee state in detail the amount of pending business?

Mr. BALL of Texas. All that information was furnished to the Committee on the Judiciary.

Mr. JONES of Washington. Can the gentleman state about the extent of business there is now—the number of cases?

Mr. BALL of Texas. I have not the data before me, because it was filed with the Judiciary Committee, and I do not remember; but I do remember that a sufficient showing was made before the Judiciary Committee and the subcommittee to satisfy them that this court is necessary, that the three district judges of Texas, who are young, active, and vigorous men, devote their entire time to the business in their courts, and all say that this bill is absolutely necessary for the relief of the present districts and the proper dispatch of the business in the Federal courts.

Mr. JONES of Washington. You don't know whether the report in this case sets up the amount of business or not?

Mr. BALL. I do not.

Mr. LANHAM. I would state that it does not set out in detail the business of the various courts, but I will say that there are now pending in the courts, the three district courts as at present constituted, as well as I remember, about six hundred cases.

Mr. CLAYTON. Civil cases?

Mr. LANHAM. Cases of all kinds.

The CHAIRMAN. Is there objection. The Chair hears none. The question being on the engrossment and third reading of the bill, it was accordingly read the third time, and passed.

On motion of Mr. BALL, a motion to reconsider the last vote was laid on the table.

NONRESIDENTS' PURCHASE OF LAND IN CUBA.

Mr. TAWNEY. Mr. Speaker, I present the following privileged report from the Committee on Insular Affairs.

The Clerk read as follows:

Resolved, That the Secretary of War be, and he is hereby, requested to furnish the House of Representatives such information concerning the number of acres of land in Cuba purchased by nonresidents of the island since the date of American occupation as is shown by the reports to and the records of his Department and by the records of the military government of the island of Cuba, giving the consideration, the names and places of residence of purchasers as shown by the recorded instrument of conveyance, and also the number of acres contained in each tract so conveyed; also the total acreage of cultivated sugar land in the island of Cuba now owned by citizens of the United States and by citizens of other countries foreign to Cuba.

The amendment recommended by the Committee on Insular Affairs was read, as follows:

Amend by inserting the word "also" after the word "and" in line 12 of the resolution.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I am unable to understand upon what claim this is privileged. There has been none stated, no ground stated that makes it privileged.

Mr. TAWNEY. This is a resolution of inquiry addressed to a department of the Government.

Mr. RICHARDSON of Tennessee. A resolution from the department?

Mr. TAWNEY. A resolution of inquiry.

Mr. RICHARDSON of Tennessee. Addressed to the department?

Mr. TAWNEY. Addressed to the department.

Mr. RICHARDSON of Tennessee. And regularly introduced here?

Mr. TAWNEY. Regularly introduced and referred to the Committee on Insular Affairs and reported by me this morning.

Mr. RICHARDSON of Tennessee. This is a resolution, then, reported by the Committee on Insular Affairs.

Mr. TAWNEY. This is a resolution reported by the committee and it is unanimously reported.

The amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. TAWNEY, a motion to reconsider the last vote was laid upon the table.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows: To Mr. WOOTEN, indefinitely, on account of important business. To Mr. BLACKBURN, for two days, on account of important business.

DISPOSAL OF CERTAIN REFUSE IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I desire to call up for passage the bill H. R. 11241.

The SPEAKER. This being District of Columbia day, the gentleman from Wisconsin, on behalf of that committee, calls up the following bill for the consideration of the House:

The Clerk read as follows:

A bill (H. R. 11241) to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes," approved January 25, 1898.

Be it enacted, etc., That notwithstanding anything contained in the act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse, and for other purposes," approved January 25, 1898, the health officer of said District may issue permits for the erection and maintenance of such temporary privies as may be necessary during the pendency of building operations, during encampments, and under similar circumstances, under such restrictions as may be essential in the judgment of said health officer to prevent nuisance or danger to public health; and no person shall erect or maintain a temporary privy in said District without a permit from said health officer so to do, or otherwise than in accordance with the terms of such permit.

Sec. 2. That any person who shall violate or aid or abet in violating any of the provisions of this act shall be punished by a fine not exceeding \$100 or by imprisonment in the workhouse of said District for not more than six months, or by both such fine and imprisonment, in the discretion of the court. All prosecutions under this act shall be in the police court of said District, on information signed by the city solicitor or one of his assistants.

Sec. 3. That all acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

The amendments recommended by the committee were read, as follows:

Page 1, line 8, strike out the word "such."

Page 1, lines 8, 9, and 10, strike out the words "as may be necessary during the pendency of building operations, during encampments, and under similar circumstances."

Mr. JENKINS. Mr. Speaker, I yield ten minutes to the gentleman from Ohio, who reported the bill.

Mr. NORTON. Mr. Speaker, this bill was prepared by the health officer of the District of Columbia, and, as the text of the bill explains, it is to meet emergencies. When large bodies of men come to the capital and there are extensive buildings constructed it becomes necessary to take care temporarily of the refuse. This bill simply authorizes the District Commissioners to so arrange for the care temporarily of this refuse. The bill has met with the unanimous approval of the District Committee, and I think, with the amendments that the committee have made to it, it should be passed.

Mr. MOODY of Massachusetts. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. NORTON. Certainly.

Mr. MOODY of Massachusetts. Who pays the expense of the removal of this refuse?

Mr. NORTON. The District pays it.

Mr. MOODY of Massachusetts. And not the builders of the building?

Mr. NORTON. The builders will pay for it, but it will have to be done under the regulations of the District Commissioners.

Mr. MOODY of Massachusetts. Will the effect of this bill be to assess on the builders the expense incurred by the District Commissioners in the removal of this refuse?

Mr. NORTON. It will. But when there are congregated here large bodies of men, such as the Grand Army Encampment and other organizations, I understand, then it will have to be paid by the committees who invited them. This simply regulates and controls the construction of those buildings.

Mr. MOODY of Massachusetts. Then it imposes no other burden upon the District than now imposed.

Mr. NORTON. None whatever; and it carries no appropriation.

Mr. JENKINS. I ask for a vote on the bill as reported.

The amendments recommended by the committee were agreed to. The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed, was laid on the table.

TAXES AND TAX SALES IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I now call up for passage the bill H. R. 11400.

The bill was read, as follows:

A bill (H. R. 11400) to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898.

Be it enacted, etc., That an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898, be, and the same is hereby, amended to read as follows:

"That the assessor of the District of Columbia shall prepare a list of all taxes

on real property in said District subject to taxation on which said taxes are levied and in arrears on the 1st day of July of each year hereafter; and the Commissioners of said District shall fix date of sale and publish the said list, with notice of sale, in a pamphlet, of which not less than 2,000 copies shall be printed for distribution to taxpayers applying therefor. That the said Commissioners shall give notice, by advertising twice a week for three successive weeks, beginning on the third Monday in March of each year hereafter, in the regular issue of three daily newspapers published in said District, that the said pamphlet has been printed and that a copy thereof will be delivered to any taxpayer applying therefor at the office of the collector of taxes of said District; and if the taxes due, together with the penalties and costs that may have accrued thereon, shall not be paid prior to the day fixed for sale, the property will be sold, under the direction of the Commissioners of the District of Columbia, at public auction at the office of the said collector of taxes, commencing at least three weeks after the first publication of said notice and continuing on each following day, Sundays and legal holidays excepted, until all said delinquent property is sold; a description sufficient to identify the property shall be considered a proper description.

"SEC. 2. That upon the day specified aforesaid the Commissioners shall proceed to sell or cause to be sold any and all property upon which such taxes remain unpaid, and continue to sell the same every secular day until all the real property as aforesaid shall have been brought to auction and sold. In case no other person bids the amount due, together with penalties and costs, on any lot, the said collector of taxes shall bid the amount due, together with penalties and costs, on the same and purchase it for the District.

"SEC. 3. That every purchaser other than the District at any sale of property sold as aforesaid shall pay the amount of his bid to the collector of taxes within five days after the last day of sale. If any such purchaser shall not have paid his bid or the same shall not have been collected from him within the time above mentioned, the Commissioners may set aside the sale for which the bid was made, and all the rights of the purchaser under such bid shall thereby be extinguished, and the said collector of taxes shall thereupon be held to have bid the amount due on the said lot and to have purchased it for the District. Immediately after the close of the sale, upon payment of the purchase money, the said collector of taxes shall issue to the purchaser a certificate of sale, and if the property shall not be redeemed by the owner or owners thereof within two years of the last day of sale, by payment to the collector of taxes of said District, for the use of the legal holder of the certificate, the amount for which it was sold at such sale and 12 per cent per annum thereon, a deed shall be given by the Commissioners of the District, or their successors in office, to the purchaser at such tax sale, his heirs or devisees, or to the assignee of such certificates, which deed shall be admitted and held to be prima facie evidence of a good and perfect title in fee simple to any property bought at said sale herein authorized: *Provided*, That no deed shall be issued until all taxes and assessments appearing upon the tax books against the property are paid, with penalties, interests, and costs, including taxes for the years for which the District purchased the property at tax sale: *Provided*, That no property advertised as aforesaid shall be sold upon any bid not sufficient to meet the amount of tax, penalty, and costs; but in case the highest bid upon any property is not sufficient to meet the taxes, penalties, and costs thereon said property shall thereupon be bid off by the said collector of taxes, in the name of the District of Columbia; but the property so bid off shall not be exempted from assessment and taxation, but shall be assessed and taxed as other property; and if within two years thereafter such property is not redeemed by the owner or owners thereof, or their legal representatives, by the payment of the taxes, penalties, and costs due at the time of the sale and that may have accrued after that date, and 8 per cent per annum thereon, or if any property two years after having been so bid off at any sale in the name of said District under this act or any other law in force is not or has not been so redeemed as aforesaid (unless it shall be shown that the sale for taxes was irregular and void), then the Commissioners of the District, or their successors, shall, in the name of and on behalf of the District of Columbia, sell said property at public or private sale and issue to any purchaser of such property a deed, which deed shall have the same force and effect as the deed hereinbefore provided for in this section for property sold at the regular annual sale: *Provided, however*, That no such deed shall be issued until all assessments, taxes, costs, and charges due the District, of whatever nature, shall have been paid in full: *And provided also*, That minors or other persons under legal disability be allowed one year after attaining full age or after the removal of such legal disability to redeem the property so sold, or bid off by the collector of taxes in the name of the District of Columbia as aforesaid, from the purchaser or purchasers, his, her, or their assigns, or from the District of Columbia, on payment of the amount of purchase money so paid therefor, with 8 per cent per annum interest thereon as aforesaid, together with all taxes and assessments that have been paid thereon by the purchaser or his assigns between the day of sale and the period of redemption, with 8 per cent per annum interest on the amount of such taxes and assessments. When such property is redeemed from a purchaser other than the District of Columbia, and when such property shall be redeemed from the District of Columbia, it shall, except as to the period of redemption, be upon the terms and conditions hereinbefore provided for in the case of redemption by persons not under legal disability: *Provided, however*, That failure on the part of the District, from any cause whatsoever, to enforce the liens acquired aforesaid shall not release the property from any tax whatsoever that may be due the District: *Provided further*, That at any time after any property shall have been bid off as aforesaid by the collector of taxes, and before the expiration of the time allowed for the redemption thereof, the Commissioners of the District of Columbia, through the collector of taxes of said District, may issue to any person or persons, upon the payment of a sum not less than the aggregate amount of the taxes, penalties, and costs due at the time the property was bid off by the collector and that may have accrued after that date, a certificate of sale, reciting the time when same was bid off as aforesaid and the amount paid by the person or persons to whom such certificate may be issued; and if the property shall not be redeemed by the owner or owners thereof within two years from the date when bid off by the collector, by payment to the collector of taxes of said District, for the use of the legal holder of the certificate, the amount paid by the person or persons to whom such certificate was issued and 12 per cent per annum thereon, a deed shall be given by the Commissioners of the District of Columbia, or their successors in office, to the legal holder of such certificate, which deed shall have the same force and effect as the deed hereinbefore provided for in this section for property sold at the regular annual sale; and that the foregoing provisions in this section in reference to the sale at public or private sale of property in the District of Columbia advertised for sale for taxes and bid off by the collector of taxes be, and the same are also hereby, made applicable to all property in the District of Columbia subject to taxation whereon taxes levied and in arrears on the 1st day of July, 1897, or at any time prior thereto, have not been paid, and which at any sale held previous to said date were bid off in the name of the District of Columbia; that when for any reason any tax sale of real property in the District of Columbia may be set aside or canceled, such property may be readvertised and sold at the next ensuing annual sale.

"SEC. 4. That the owner of any property sold as aforesaid, or any other person having an interest therein at the time of redemption, may redeem the

same from such sale at any time within two years after the last day of sale by paying to the collector of taxes, for the use of the purchaser, his heirs and assigns, the sum mentioned in the certificate of sale therefor, with interest thereon at the rate of 12 per cent per annum after the date of such certificate of sale, together with any tax or assessment which the holder of said certificate shall have paid between the days of sale and redemption, with interest on the same at the rate of 8 per cent per annum.

"SEC. 5. That the collector of taxes shall, within twenty days, exclusive of Sundays and legal holidays, after the last day of the sale hereinbefore provided for as aforesaid, file with the recorder of deeds a written report, in which he shall give a statement of the property sold, other than that sold to the District of Columbia, to whom it was assessed, the taxes due, to whom sold, the amount paid, the date of sale, the cost thereof, and the surplus, if any. Any surplus remaining after the collection of taxes, penalties, and costs on any real estate shall be collected as provided in sections 161 and 162, chapter 6, of the Revised Statutes of the United States, relating to the District of Columbia, and shall be deposited by the collector of taxes to the credit of the surplus fund, to be paid to the owner or owners, or their legal representatives, in the same manner as other payments made by the District.

"SEC. 6. That the said Commissioners shall not convey any property sold for taxes if they shall discover, before the conveyance, that the sale was for any cause invalid and ineffectual to give title to the property sold; but they shall cancel the sale and cause the purchase money, together with interest at the rate of 6 per cent per annum, to be refunded to the purchaser, his representatives, or assigns.

"SEC. 7. That the expenses of advertising and the printing of said pamphlet shall be paid by a charge of 50 cents for each lot or piece of property advertised.

"SEC. 8. That this act shall take effect from and after its passage; and that all acts or parts of acts inconsistent herewith be, and the same are hereby, repealed."

Mr. JENKINS. I ask for a vote, Mr. Speaker.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

SUPERVISION OF CERTAIN CHARITABLE INSTITUTIONS IN THE DISTRICT OF COLUMBIA.

Mr. JENKINS. Mr. Speaker, I now desire to call up the bill H. R. 10372.

The Clerk read as follows:

A bill (H. R. 10372) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the act approved June 6, 1900, creating such board.

Be it enacted, etc., That such supervision over the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the provisions of the act of Congress entitled "An act to establish a Board of Charities for the District of Columbia," approved June 6, 1900 (31 Statutes, p. 664), is hereby transferred to the Secretary of the Interior, who shall have exclusive supervision over said institutions and the disbursement of all appropriations therefor, subject to the laws of Congress.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized to enter into contract with the Secretary of the Interior for the care, at a reasonable rate per capita, of all persons from the District of Columbia treated in the Freedmen's Hospital and Asylum.

SEC. 3. That all acts or parts of acts inconsistent herewith are hereby repealed.

Mr. JENKINS. I ask for a vote on the bill, Mr. Speaker.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

ACKNOWLEDGMENT OF DEEDS IN THE PHILIPPINE ISLANDS AND PORTO RICO FOR REAL ESTATE IN THE DISTRICT.

Mr. JENKINS. Mr. Speaker, I now call up the bill H. R. 11474.

The bill was read, as follows:

A bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States.

Be it enacted, etc., That deeds and other instruments affecting land situate in the District of Columbia or any Territory of the United States may be acknowledged in the Philippine Islands and Porto Rico before any notary public appointed therein by proper authority or any officer therein who has ex officio the powers of a notary public: *Provided*, That the certificate by such notary in the Philippine Islands or in Porto Rico, as the case may be, shall be accompanied by the certificate of the attorney-general of Porto Rico, or the governor or attorney-general of the Philippine Islands to the effect that the notary taking said acknowledgment was in fact the officer he purported to be.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. JENKINS. Mr. Speaker, that concludes all the work from the Committee on the District of Columbia this morning.

DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union, for the consideration of appropriation bills, intending to call up the consular and diplomatic appropriation bill.

The SPEAKER pro tempore (Mr. DALZELL). The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the consular and diplomatic appropriation bill.

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. CURTIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering the diplomatic appropriation bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903.

Mr. HITT. Mr. Chairman, I move to dispense with the first and formal reading of the bill, that we may proceed to general debate, and afterwards take up the bill and consider it by paragraphs.

The motion was agreed to.

Mr. HITT. Mr. Chairman, this appropriation bill is to provide for the needs of our foreign service for the coming fiscal year. It has nothing radical in the way of change; it has been carefully considered, every part of it, by the committee, and is reported with the concurrence of all the members of the committee.

The only fault that is found in the bill, and I believe that fault is agreed to as necessary by every member of the committee, is that it does not make many provisions that we would like to have in changing our service, which is defective, illy paid, and incomplete. But, remembering the experience of the past, and the spirit and temper of the House, we have not attempted any considerable change, leaving that for the consideration of the House when it comes to general legislation on the consular service.

I will briefly state the changes we have made, and they can be explained with more detail when we come to consider the bill by paragraphs as each particular item is read.

Last year we appropriated \$1,848,728.76 for the service. We have here increased that in numerous items, raising the pay of officers, furnishing additional clerk hire for consulates where there was imperfect provision, and providing a considerable sum for the legation building in China, so that the appropriation bill is altogether for \$1,931,678.76, or a total increase of \$82,950.

In the appearance of the bill there is a greater change than in fact. The consulates in former bills or in the law heretofore were arranged in a system of schedules and classes and grades that have gradually fallen into incongruity and confusion; they were perplexing, and any member who attempted for the first time to disentangle them was confounded by this enumeration. It has caused numerous errors in the accounting department, and confusion and delay in the State Department. We have placed all the consulates of the United States—from the most important and highly paid consul-generals to the smallest of the posts—in alphabetical order, so that anyone may instantly turn to the post he wishes to examine, find its compensation, and, if he desires, can find also a designation by schedule and class as stated in the old law.

That subject was discussed when we had the bill last year before us, and our committee reported the same alphabetical arrangement and the House adopted it. At the other end of the Capitol the gentlemen were so wedded to the very conservative and ancient confusion of the law that they restored it. It is evidently as unsystematic as the method in which we print and entitle House documents, appending wholly unintelligible titles. A large part of the literature of this House is so published.

In the great item of contingent expenses for foreign missions, \$150,000, we have increased it \$25,000. That is a large sum, but we thought it better to recognize the fact that the country is growing; that its business, its wants, and its needs in its foreign relations require more service and more expenditure. It was thought better to meet it in this way than to evade the question and let it come, as heretofore, in deficiency bills; and this is about what was spent last year and what is required.

In the recent confusion and trouble in China we have had to do as the Governments of other countries have done—make new provision for our legation. Last year we appropriated \$40,000 for the purchase of land on which to erect a legation, and it was thought that we could buy the property requisite and which was already selected for it, but the price demanded was so unreasonable that the Department would not accept it.

That lot is now taken by the Korean Government. It is the land upon which stands the building now occupied by our legation under a lease to the United States. That lease will expire very speedily, in a few months, and we have therefore provided an appropriation of \$60,000 with which to purchase absolutely land that is believed to be more advantageous for the purpose. We have to have the money speedily, as the building we now occupy will soon be wanted. So this is made at once available.

The emergency fund is increased \$12,000. The provision for the Mexican Boundary Commission, which has been engaged, with a similar body of Mexican officers, for a number of years on a work now approaching completion, requires less money, and so we have appropriated \$2,600 less than last year for that purpose.

There is a sum of \$3,000 that is new, set apart for our representation at the international conference of the Red Cross at St. Petersburg. This convention was made several years ago. Similar provision was then made to do our part, and this sum will be required for our contribution to the expenses of the coming conference.

About one-third of the consular officers of the United States, it is probable, on fair consideration, are not adequately paid. This conclusion is not dependent upon the statements of the consuls, each one of whom might perhaps say that he was not paid sufficiently; at least, that would be his natural tendency. But most of those who are conversant with the business carried on at these consulates—the department officers, business men who travel, all who have to do with the business of our people as carried on through these offices—agree that the consular officers are inadequately paid.

Knowing something of the temper of this House, the committee has gone very slowly in granting increases of pay. We have made such increase in a dozen or more cases, generally about \$500 at each office, and in many places have allowed a little more for clerk hire, such allowance being absolutely essential for the conduct of the daily business of these larger offices, where often property to the amount of hundreds of thousands of dollars has to pass through the consulates to the United States.

At Amsterdam, where the trade is very large and where the invoice fees collected amounted to something more than \$7,600 last year, we have raised the pay of the consul \$500. The former salary has been \$1,500, which we have increased to \$2,000.

At Budapest, where there is a feed office, we have fixed the consul's salary at \$1,500, whereas the fees taken there have amounted to \$1,461.

It is desirable in every case to have these consuls controlled and regulated by fixed rules and receiving compensation determined as salary, rather than leave open the temptation to exaggerate fees.

At Dawson City, where the cost of living is so enormous, we have increased the salary \$500. It was high before, but all the stories coming from there represent the cost of living as something unparalleled.

At Ensenada, in northern Mexico, where the business is rapidly increasing, where our people trade more and more every year, and where on account of the increase of business and the rise of prices no man could live on the salary heretofore allowed, \$1,000, we have fixed the salary at \$1,500.

At Freiburg, in Germany, where a very large business is done, the invoices alone showing receipts amounting to \$3,336, we have made an addition of \$500.

At Guatemala City, where there is a consul-general, we have also made an increase of \$500. It is not a place where much business is done; but there is a great deal of business done in towns almost in sight. Guatemala City is the capital, and the offices at these other places are subordinate, under the control and direction of this central officer, who, as I have said, is a consul-general.

At Patras, in Greece, we have made an increase. This is the chief commercial port of that Kingdom, and the pay of the consul has been inadequate. We allow him \$500 additional.

At Pernambuco, where there has been a considerable increase of business, we have raised the salary \$500.

At Port Limon, a feed office doing a large business, the fees have amounted to between \$2,000 and \$3,000. We have fixed the salary at \$1,500. That is a new office.

Pretoria, South Africa, is a place where there has been no consul for a long time, because the pay has not been sufficient to enable a man to live upon it there. There has been an acting officer there. We have made a slight amendment by allowing \$1,000 additional.

At Puerto Cortez the case is similar to that just referred to—Port Limon—where the business is large, and the fees collected are the only pay of the consul. It is better that there should be a salary allowed, and we have fixed it, as in the other case, at \$1,500.

At Santos, a coffee port in South America, which I believe is one of the most unhealthy posts in our consular service, we have increased the pay \$500.

At Stanbridge, a small feed office in Canada, where the duties are really important, and where it is necessary there should be an efficient officer, we have allowed \$1,000.

At Three Rivers, where the business has been increasing rapidly, we allow \$500.

The whole body of increases in all these consular offices added

together amounts to \$11,000. There is also an increase, amounting to \$2,142, in the amount allowed to consulates for clerk hire. I will not stop to recapitulate the details, only a small amount being allowed in each case.

We have allowed \$10,000 for the cost of preparing and publishing the consular reports, which members are constantly asking for in additional numbers, and which are called for so largely by our commercial houses, so that it was thought the Department should be authorized to issue more copies than have been issued heretofore. The contingent expenses of the consular service are increased by \$5,000. That was done in order to enable the Department, if it saw fit, to take advantage of the opportunity to provide a system cable cipher which would be convenient for merchants and tend to enlarge our commerce at the chief consular posts. It is an experiment, and it is put within the discretion of the Department. These are the essential items of change from the existing law.

Mr. ROBINSON of Indiana. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. HITT. Certainly.

Mr. ROBINSON of Indiana. I would like to say to the gentleman from Illinois [Mr. HITT] that I agree with him that the consular service of our country is defective and ought to be reformed, if not entirely remodeled. I would be willing to follow the guide of the gentleman from Illinois, by reason of his great experience in nearly all matters nonpolitical in our foreign affairs, but this is piecemeal legislation, largely.

Let me ask the gentleman whether this process of oiling of a cog or the repairing of a part of the gear is not somewhat unjust and unequal, when the whole machine, as it seems, ought to be overhauled? Now, does he give us any promise, has he any hope, that the proper committee will submit to this Congress—and I think Congress is in favor of remodeling it—a measure providing for a reorganization? Can we have any hope, can the gentleman give us any promise, that this Congress will pass on this American consular system that so long has been defective?

Mr. HITT. The Committee on Foreign Affairs has been considering several bills on the subject. We expect to report one, and will try to get consideration in this House for a bill reorganizing the whole consular service, making it a harmonious system, fairly well paid, so selected and disciplined and so administered that it will be an effective aid to commerce, to public interests, to the protection of American citizens—an efficient and satisfactory service.

Whether it will pass the House depends upon the gentleman himself and 300 other gentlemen like him. The attempt has been tried heretofore, and such a bill has not passed because of reasons that will come up again when the time comes for discussion. Now, this bill is a very poor way of mending the consular service, but it would be defeated right here in the House if we had reported 100 amendments. I have seen it tried too often. The confusion that comes from commencing too rapidly to adjust the whole service by piece meal is never successful in bringing out a good bill.

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to state further—

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Indiana?

Mr. HITT. In a moment. The cases that we have tried to adjust are such as are plain and manifest cases, and those only have we brought in, for this reason: By the rules of the House any member here can by a single objection throw out any one or all of these amendments that we have brought in. They are all subject to the point of order, and so we have to go very carefully. We have put in what we believe to be so perfectly defensible that everyone will agree to it.

Mr. ROBINSON of Indiana. Mr. Chairman, I do not mean to be understood as standing in the attitude of opposing this measure. In fact, I think the provisions are perhaps wholesome, but I would like to have an entire reorganization of the system. I think there is a demand for it throughout the country.

Mr. HITT. I am heartily in accord with the gentleman, and I think he will find out that the committee is doing its best to carry out the wishes he expresses.

Now, Mr. Chairman, I will not take up further time of the committee at this moment.

[Mr. COCHRAN addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCHRAN. I ask leave to extend my remarks in the RECORD by inserting certain historical allusions and certain tables that I have prepared and which if I had expected to speak this morning I would have had here.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. HITT. I suppose they all bear upon the subject of his remarks and on the bill.

The CHAIRMAN. The Chair hears no objection.

Mr. HITT. I yield to the gentleman from Pennsylvania [Mr. ADAMS] forty minutes.

Mr. ADAMS. Mr. Chairman, the items of this bill have been so fully set forth by the chairman and its general provisions have been presented to the House in such a way that I deem it unnecessary to make any further remarks in regard to those questions. But the question arises, in the passage of these annual appropriation bills appropriating the money therein contained for the various objects referred to, whether we have performed our whole duty in this regard when we have passed those bills. I propose to take advantage of the license of debate on appropriation bills to make some references to what is provided in this bill in regard to our consular service.

It is a curious fact that, notwithstanding the great importance of this subject in relation to our business affairs, the business men of our country up to a very recent time have shown but little interest in the improvement of this service.

The legislation that has taken place upon this subject has been most crude and very far apart in its passage.

Our consular service was founded principally under the acts of July 31, 1789, and July 1, 1790. From that period down to 1856 there was practically no legislation relating to this important branch of our service. The next legislation affecting this subject was enacted in 1883, which took away the excessive fees which then existed in regard to our shipping. But it had the disadvantage also that in taking away those fees that were for the benefit of shipping, it took away, to a large extent, the compensation of our consuls, and from that day to this they have had very little and unequal compensation.

I am glad to say, Mr. Chairman, that things have come about so that the people are beginning to take some interest in this subject. The boards of trade throughout our country and chambers of commerce and business men have taken up this question and are now pressing it upon the Congress for its reorganization.

In evidence of this fact I cite the following declarations of the various boards of trade and chambers of commerce of our country:

The National Board of Trade, at its thirty-second annual meeting, held in Washington in January, 1902, resolved—

That the National Board of Trade strongly urges Congress to pass, at an early day, such legislation as is necessary to reorganize our consular service on the lines of the bills now before it, which demand greater efficiency, permanency of tenure, with compensation sufficient to attract agents of such technical and commercial education as is absolutely essential to the maintenance and growth of our vast commercial interests.

ROOMS OF THE BOARD OF TRADE OF THE
CITY OF BALTIMORE, RIALTO BUILDING,
Baltimore, January 9, 1899.

DEAR SIR: I have the honor to invite your attention and beg your consideration of the following report and resolution unanimously adopted by this board at meeting held this day.

Very respectfully,

HENRY C. LANDIS, Secretary.

A BILL TO INCREASE THE EFFICIENCY OF THE FOREIGN SERVICE OF THE UNITED STATES AND TO PROVIDE FOR THE REORGANIZATION OF THE CONSULAR SERVICE.

The committee on foreign commerce, to whom was referred a communication from the Merchants' Association of New York, dated December 27, 1898, calling attention to a bill now pending before Congress, entitled "A bill to increase the efficiency of the foreign service of the United States and to provide for the reorganization of the consular service," beg to submit the following report:

The subject of improving the consular service of the United States has in former years been under consideration by this board, and resolutions were adopted by it on March 4, 1895, in favor of a bill then pending in the Senate, introduced by Senator LODGE, having this object in view.

The large yearly increase in the foreign trade of the United States, and especially the great expansion that is now taking place, makes it more than ever important that our consular service should be placed on a footing of efficiency that will compare favorably with other countries, and notably with our chief competitors, Great Britain and Germany.

The bill now pending in Congress, known as House bill No. 2524, and which has been favorably reported by the Committee on Foreign Affairs, is designed to place the consular service on a better footing than that upon which it now stands: Therefore, be it

Resolved, That the Board of Trade of Baltimore is heartily in favor of such measures being adopted by Congress as will secure efficient and creditable service, and would urge the passage of House bill No. 2524 at the earliest practicable date.

Resolved, That copies of these resolutions be sent to the members of the United States Senate and House of Representatives, and that the Senators and Representatives from Maryland be requested to do all in their power to secure passage of the bill.

THE CHAMBER OF COMMERCE OF SAN FRANCISCO,
San Francisco, January 24, 1899.

Hon. DAVID B. HENDERSON,
House of Representatives, Washington, D. C.

DEAR SIR: Realizing with other commercial bodies the great need of a radical improvement in the system under which our consular service is operated, and also being firmly impressed by the great importance of having this department of our Government in as efficient condition as possible, particularly as we are now, as a nation, engaged more than ever in a great commercial struggle to place our products in the markets of the world, and as a means of accomplishing this end we consider the aid which can be rendered

by a properly organized corps of consuls of immense benefit, we therefore respectfully urge that you will take such steps as will bring up for the earliest possible consideration in the House of Representatives the bill known as House bill No. 10524, as a means of effecting the desired improvement in that branch of the service.

Trusting that this will meet with your approval and hearty support, we have the honor to subscribe ourselves,

Your obedient servants,

THE CHAMBER OF COMMERCE OF SAN FRANCISCO,
CHARLES NELSON, *President*,
E. SCOTT, *Secretary*.

THE CHAMBER OF COMMERCE OF SAN FRANCISCO,
San Francisco, January 25, 1899.

MERCHANTS' ASSOCIATION OF NEW YORK,
New York Life Building, New York City.

DEAR SIR: I beg to acknowledge receipt of your favors of the 9th and 10th of January in regard to a bill introduced by Congressman ADAMS, namely, H. R. 10524, for the improvement of the consular service. This is a matter in which we are in full and hearty accord with you, and have the pleasure of inclosing you a copy of a letter sent to Hon. DAVID B. HENDERSON, one of the members of the House Committee on Rules. We have sent a similar letter to each of the members of that committee, also practically the same to Hon. John A. Barham, Hon. James G. Maguire, Hon. EUGENE F. LOUD, and Hon. Samuel G. Hilborn, of the California delegation in the House, with the slight addition of a request to urge upon the House committee the necessity and urgency of this matter.

Joining with you in the hope that the bill will meet with an early approval, I beg to remain,

Yours, very respectfully,

E. SCOTT, *Secretary*.

CHAMBER OF COMMERCE AND MERCHANTS' EXCHANGE,
Cincinnati, January 9, 1899.

MR. WILLIAM F. KING,
*President the Merchants' Association of New York,
New York Life Building, New York City.*

DEAR SIR: Referring to your communication under date December 27, in regard to consular service, I have the honor of inclosing copy of action upon the same by our board of directors.

Truly, yours,

C. B. MURRAY, *Superintendent*.

CINCINNATI CHAMBER OF COMMERCE.

The Cincinnati Chamber of Commerce, recognizing the importance of effective service in the consular offices representing our Government in its influence for the promotion of the industrial interests of our country, joins in commending the passage of the measure pending in Congress known as H. R. bill No. 2524, Report No. 1460, entitled "A bill to increase the efficiency of the foreign service of the United States and to provide for the reorganization of the consular service," it being believed that such measure would be promotive of improvement in results of each service.

LITTLE ROCK BOARD OF TRADE,
Little Rock, Ark., January 12, 1899.

MERCHANTS' ASSOCIATION,
New York City, N. Y.

GENTLEMEN: Herewith please find copy of resolutions adopted by our board of directors.

Whenever we can be of service, please command us.

Respectfully, etc.,

LITTLE ROCK BOARD OF TRADE,
By GEO. R. BROWN, *Secretary*.

LITTLE ROCK BOARD OF TRADE, LITTLE ROCK, ARK.

Resolved by the Little Rock Board of Trade, That we heartily concur in the memorial of the Merchants' Association of New York City favoring the passage by Congress of the bill entitled "A bill to increase the efficiency of the foreign service of the United States and to provide for the reorganization of the consular service."

Resolved, That the consular service should be made as efficient as possible and placed on a par with the service of Germany and Great Britain, and under the civil-service rules.

MEMPHIS MERCHANTS' EXCHANGE,
Memphis, Tenn., February 21, 1899.

MR. WILLIAM F. KING,
President Merchants' Association, New York, N. Y.

DEAR SIR: I have the honor of transmitting to you herewith resolution adopted at a general meeting of this exchange, held this morning, upon the subject of the reorganization and improvement of the consular service of the United States.

Very truly, yours,

N. S. GRAVES, *Secretary*.

MEMPHIS MERCHANTS' ASSOCIATION, MEMPHIS, TENN.

[Resolutions adopted at a general meeting of the Memphis Merchants' Exchange, February 21, 1899.]

Whereas an effort is now being made to secure such legislation by the Congress of the United States as will insure a thorough reorganization of the consular service of the United States and increase its efficiency by establishing a classified service, with permanency of tenure and with appointments and promotions based on examinations as to experience and fitness for positions: Be it

Resolved, That the Memphis Merchants' Exchange, in the interest of American commerce and the life and property of American citizens in foreign countries, ask the earnest consideration of our Senators and Representatives to the organization and improvement of the consular service, and invoke their prompt and hearty cooperation in securing the early consideration of the bill recently introduced in the House of Representatives by the Hon. ROBERT J. ADAMS, of Pennsylvania, known as H. R. 10524, Report No. 1460; and further be it

Resolved, That we urge the adoption of said bill No. 10524 or such other measure as will substantially carry into effect its provisions.

Resolved also, That a copy of these resolutions be sent to each of the Senators from this State and to the Representatives in Congress from this particular district, as also the adjoining districts of the States of Mississippi and Arkansas, with the request that they interest themselves in securing the proposed legislation.

[OFFICIAL SEAL.]

N. S. GRAVES, *Secretary*.

NATIONAL ASSOCIATION OF MANUFACTURERS
OF THE UNITED STATES OF AMERICA,

Philadelphia, Pa., January 31, 1900.

Hon. ROBERT R. HITT,

*Chairman Committee on Foreign Affairs,
House of Representatives, Washington, D. C.*

SIR: As it is not possible for me to appear in person before your committee and thus convey an expression of opinion from members of the National Association of Manufacturers relative to the pending bills for the reorganization of the consular service, I beg leave to submit herewith some suggestions on behalf of the 1,100 manufacturers embraced in the membership of this association.

Upon many occasions this association has placed itself on record as desiring most earnestly the reorganization of our consular service in such manner as will increase its efficiency and eradicate many of the evils which now exist as the result of the present system.

Perhaps the position of this association is most concisely and most clearly expressed in the following recommendations, which were transmitted to the President under date of April 5, 1897:

That the changes in the consular service shall be as few as possible.

That removals shall be made only because of demonstrated incapacity.

That vacancies shall be filled as far as possible by promotions or transfers.

That appointments shall be made solely upon the basis of proper qualification for the position, and without regard to political service.

That only American citizens shall be appointed to any consular offices.

I can only repeat the recommendations to express the present position of this association, and I believe that they will equally well express the opinion of every thoughtful business man who has any familiarity with the needs and requirements of our consular service, and with its present condition.

I am not one of those who pronounce sweeping condemnation of our consular service; for a somewhat intimate acquaintance with many of our consular officers, and a careful investigation of the records of a large number of them, have shown me that the service contains many men of marked ability, and also a large number of men who are both unqualified for and unworthy of the positions they hold. That we have any efficient men in the service is not due to the system under which the service is organized and maintained; the efficient men are there in spite of the system rather than because of it. It is in accord with the sound principles which have governed every business enterprise, and which as well should be applied to the conduct of the business functions of our Government that this branch of the governmental service should be organized and conducted upon such a basis as shall insure the appointment of competent men rather than make their presence in the service merely the result of accident. I take this to be the principle which has actuated those who have formulated the bills looking to the improvement of the consular service that have been introduced into Congress and are now pending.

With particular reference to H. R. 1026, which I have examined with much care, I beg to offer the suggestion that while this measure seems to provide a very efficient manner for placing the consular service upon a much better business basis, it is lacking in one or two points, the provision of which would make the meaning and purposes of the bill clearer and stronger. For example, while the wording of several paragraphs very clearly implies that vacancies in each grade shall be filled by promotions from the next lower grade, this fact is not stated in specific terms, and to place this method of procedure beyond question, I beg leave to suggest that the wording of the bill should be made more specific on this particular point.

Furthermore, there seems to be in this bill no provision touching the manner of making removals from the consular service, a matter of quite as much importance as the making of appointments or promotions.

I take the liberty of suggesting that the wording of the bill should be made very clear and specific on this point, to provide that removals shall not be made except for cause, and that the causes and the manner in which removals therefor should be made should also be very distinctly expressed.

With the general purposes of this bill I am in hearty accord, and I know that the ends it seeks to accomplish command the most earnest approval of the business men of the United States as a whole. The astonishing increase in our foreign trade during the past three or four years I regard as only the beginning of our conquest of the world's markets, and the consular service of the United States is a most essential and vital factor in the growth of this business. It is this that gives to the manufacturers of the United States such deep interest in everything that tends to improve the efficiency of our consular representation.

Respectfully yours,

THEODORE C. SEARCH,
President National Association of Manufacturers.

RESOLUTIONS ON IMPROVEMENT OF CONSULAR SERVICE BY THE TRANS-MISSISSIPPI COMMERCIAL CONGRESS.

Whereas the functions of our consular service are almost exclusively confined to matters pertaining to our foreign commerce, which should therefore be regarded as a branch of a great business enterprise, and administered strictly on business principles; and

Whereas the rapid growth and increasing importance of our foreign commerce specially demand men of the best business qualifications and unsullied reputations, who will command alike the confidence and respect of all who have business with them: Therefore,

Resolved, That the Trans-Mississippi Commercial Congress earnestly urges such thorough organization of our consular service as to secure the most efficient service to our business interests, and it believes that this can be best accomplished by basing appointments on experience, ability, and character, unbiased by any political consideration, thus assuring that efficiency which is only attained by extended experience. With this end in view it urges upon its Representatives in Congress the passage of bill No. 1026 now pending in the House of Representatives.

The Executive of our country, with that great extent of view which he possesses, in sending in his message, which covers to an extraordinary extent all the vital topics which relate to the interests and welfare of our country, wrote as follows in regard to this subject:

The consular service is now organized under the provisions of a law passed in 1856, which is entirely inadequate to existing conditions. The interest shown by so many commercial bodies throughout the country in the reorganization of the service is heartily commended to your attention. Several bills providing for a new consular service have in recent years been submitted to Congress. They are based upon the just principle that appointments to the service should be made only after a practical test of the applicant's fitness, that promotions should be governed by trustworthiness, adaptability, and zeal in the performance of duty, and that the tenure of office should be unaffected by partisan considerations.

The guardianship and fostering of our rapidly expanding foreign commerce, the protection of American citizens resorting to foreign countries in lawful pursuit of their affairs, and the maintenance of the dignity of the nation abroad, combine to make it essential that our consuls should be men

of character, knowledge, and enterprise. It is true that the service is now, in the main, efficient, but a standard of excellence can not be permanently maintained until the principles set forth in the bills heretofore submitted to the Congress on this subject are enacted into law.

Mr. Chairman, the President has in that terse sentence covered all the interests and requirements in the matter of our service. As to the matter of appointments, I wish to speak entirely in a nonpartisan way. The consular service relates to the business interests of our country. It is essentially the business branch of our Government.

They are sent abroad to represent the interests of the citizens, to protect their rights, and to furnish the citizens at home with reliable information, so that the avenues of trade may be opened up and the necessary information furnished to the merchants of our country in that respect. The tenure of office should be permanent, or for a long period of time. What incentive have consuls in our service to-day for great and adequate work, when it is known that their tenure of office is limited to four years, and that, even without a change in the political party, the consul probably is removed at the end of four years?

Just at the very time when he has probably learned the language of the country; just at the time that he has learned the trade requirements and the avenues for opening business to our people; just at the very time that he has learned how to report the important facts and valuable information, he is brought back to our country and a novice, unprepared in any way, unlearned in the methods of securing that information, is sent out to replace a competent man, and he, too, is brought home when he has reached a similar efficiency and is liable to the same change. Surely that is a wrong principle; surely it is not in the interests of our business development; surely there is great ground for correction.

It is proposed to have examinations, and to have men pass such an examination in order to enter this service. But we are met with this objection: "We want business men. We do not want classic students from universities; we do not want men who have passed technical examinations. Such examinations as are proposed may not, it is true, prove the entire fitness of the applicant for the post of consul, but they are surely better than the requirement that the consul should be skilled in manipulation of primaries and conventions in his own district. What we do need is to have business men of our country. Give us business men, who know what to report and how to start out and get the information and give it to the merchants."

Mr. Chairman, if it was the successful business man that sought this position there might be some force in that argument. Successful business men do not seek consulships. He is better off in his business at home. It is a poor business man who does not make \$2,000 or \$2,500 a year. It is the unsuccessful business man who seeks this position; it is the broken-down merchant, who has failed, who wants to be sent abroad and occupy this honorable position. Therefore the cry that these places should be entirely filled with business men fails, for you do not get a class of men who are competent who would be successful in maintaining the position. Permanent tenure is absolutely essential in order to secure energetic work on the part of our representatives. How could you expect a man to live in a tropical climate, where his northern nature is enervated by a warm atmosphere? How can you expect a man that is enervated in this way to work hard in order to furnish information when he knows that his endeavor will receive no response and no acknowledgment in the way of promotion, and that he simply will be returned home at the end of his four years?

Give that man a hope that he will be promoted; give that man an incentive to work—that he will be moved both to a better climate and an increased pay—and you give him an incentive to furnish our people with that information which is so essential to our development.

Then, Mr. Chairman, our consuls should be allowed to be moved from one place to another. There is no reason why a fixed tenure should not be introduced in this regard. The President further says in his recommendation relating to the expansion of our trade—which is now the most vital question before our country, the one to which all our economic tendencies are moving, the one to which the genius of the American people has brought our production to such a point that it is absolutely necessary that we should seek new markets—this service is one of the most essential vehicles in which to develop the trade by furnishing the necessary information to our people.

Now, as to the qualifications of the men who should enter the consular service. They should be men who have prepared themselves with a knowledge of international law, in the knowledge of treaties, in the knowledge of the laws relating to decedents, and in the laws relating to shipping. They should know how and what are the rights of the American citizen residing abroad, and be prepared to enforce them and to protect them. This takes specially trained men.

Next, there is a necessity for an examination before they enter the service; an assurance that when once in they should be continued for long periods. How can we expect the proper class of young men to enter the service, to take the necessary education, which represents invested capital; how can we expect such a class of young men to seek the service unless there is some assurance that the time and money that they have invested will be returned by a tenure of office existing, say, for life, or over some considerable period?

To illustrate, Mr. Chairman, this one item that came under my observation in visiting the Commercial Museum, in the city of Philadelphia, an institution designed for the expansion of our trade, furnishing information to our merchants at home. There is shown there a number of specimens of labels which it is insisted shall be put upon the goods for the Chinese, making them attractive. To display these goods in China without being labeled in that way would simply prohibit their sale. What consul, going to that country for the first time, could possibly be aware of such a custom, prejudice, or superstition, whichever you may call it, on the part of the inhabitants of that great Empire? Four hundred millions of people are at our disposal to cultivate commercial relations, and the want of information on a simple little item like that might hurt, if not injure permanently, our trade with that great Empire.

Hence, I insist that these men should remain in the country long enough to learn its peculiarities, commercial requirements, and opportunities for development which it gives to our merchants. Another point in which our consular service is at present in a most chaotic state. I did not wonder that the gentleman from Indiana arose and made some inquiries in regard to the salaries of our consuls. There is no set of men occupied in the same class of work that are paid so unequally as our consuls, from the great salaries and fees that are given to the men in the large cities of Europe down to the poor men who are serving in a tropical climate at \$1,500 a year. You can run the gamut of the scale and see the inequality that exists in this business branch of our Government. It is essential that men doing the same service with equal energy shall be paid an equal compensation.

Justice demands it, and no government can get the best service out of these servants that is not sufficiently just in that requirement that those doing the same service should be paid equal compensation. The only way salaries can be changed now is by this method, which, as our chairman has explained, is really illegal, and which can be defeated by a point of order raised by any member on this floor. We want legislation that will remedy these difficulties. I am glad to say that there are bills now, which have the support of the business community, that will shortly be reported to the House, and my object in making these remarks is to call my colleagues' attention to these bills in such a manner that I hope it will enlist their sympathy for one of these bills, whichever may be reported out of the committee. These bills are founded on the doctrine of nonpartisanship. They open to all the citizens of our country the opportunity to apply for the service, and therefore we can appeal to gentlemen on both sides of the Chamber to rally and give their support to this nonpartisan bill, founded on equal justice to all American citizens.

I will quote another illustration of the necessity of trained men in this service. Before the breaking out of the Spanish war it was necessary that our Government should have the most reliable information of what was taking place in the Kingdom of Spain. I will ask any man in this House, How can a consul who does not understand the language of the country to which he is sent—who can not read the papers—in what position is he to furnish his home government with necessary information? What does he know of the temper of the press, if he can not read the editorials? What does he know of the doings of the people, if he can not speak their language and mingle among them. How can any man who is thus tied of tongue, living among a people whose language he does not know, gather information such as his home government may require? Why, Mr. Chairman, that one consideration alone is sufficient to show the necessity for a change in the organization of this service.

This need is more pressing now than at any previous time in our history. With the great development that is taking place in our manufacturing organizations, the proposed development of our merchant marine, the extension of our colonies into all quarters of the world, it becomes more than ever essential that we should have a trained corps of consuls.

The necessity for an examination as to the qualifications of an applicant for such a position must be evident when we consider what the necessary qualifications are. The candidate should be competent to pass an examination on such subjects as the laws regulating shipping, the commercial treaties existing between our own and other countries, our laws relating to intestates, the consular regulations of the United States, and such other subjects as relate to consular duties. The candidate should also be required

to have a practical knowledge of French or of the language of the country to which he is to be sent.

It may be asked where will such a body of trained men be found? Mr. Chairman, only last winter, when this subject was pending before the House, I received letters from two universities asking with regard to the probabilities of the passage of a bill such as I am advocating and declaring their willingness to introduce a special course to prepare men for these positions.

The wisdom of a system of this kind has been demonstrated in Great Britain. When these positions there were thrown open to competitive examination the number of applicants the very first year increased from 5,000 to 15,000, showing that men were ready to enter the service—that they would gladly avail themselves of the advantages thus held out of permanent tenure, insuring them life service, if they desired it, in this peaceful pursuit, tending to build up the foreign commerce of their country. If such has been found to be the fact in Great Britain, then, in view of the similarity of our people and their well-known energy, a similar condition will be found to exist in our own country. The young men of our country are alive to the advantages such positions may offer them. Give them the opportunity, supported by the assurance that it means a livelihood for life, and you will have our consular service filled with the best ability and energy that the young men of our country can furnish.

Mr. Chairman, in the bills proposed to be brought before Congress the salaries are raised throughout the entire service. But, more than that, the compensation of the different consulates is equalized, so that if these bills should become laws the charge now brought as to the inequality of compensation in different branches of this service will be done away with. The service as a whole will be equalized.

It is only recently that the business interests of the country have been pressing this subject upon the attention of Congress. But that is not the case in other directions. Those who have been most familiar with the necessities of the case have for a long time been urging action by Congress upon this subject. All our Secretaries of State, all our Assistant Secretaries of State, who have had this matter under their immediate supervision, have been pressing this measure of reform upon Congress.

Nearly every man who has been prominent in the consular service, though he may have felt that his mouth should be closed while he was exercising active official duties under the Government, has, on retiring from office, testified to the necessity for this change, and has shown wherein the necessity lay. I am glad to say, also, that even those who occupy positions in this service have rallied to the support of this measure.

I cite the following expressions, showing that this statement is not unfounded:

Secretary of State Livingston, in 1833, and Secretary of State Buchanan, in 1846, called attention to the evils existing in the service, but it was not until 1884, when Secretary of State Frelinghuysen discussed the subject in his admirable and exhaustive report, transmitted to Congress by President Arthur March 20 of that year, that the strong necessity for action was made apparent. In it he said:

"Until recently the demands of Europe, which consumed the greater portion of our exports, and the condition of the producing countries were such as to give us control in the supply of certain products, such as breadstuffs, provisions, cotton, and petroleum, etc. The demands of Europe for all these products and of the other continents for petroleum especially were so positive and our producing conditions so favorable as to give us practically a monopoly for their supply.

"These conditions of international demand and supply are undergoing radical changes, which the near future will intensify.

"The efforts which have been made and which are being made by Europe to enlarge the field of supply in the above-mentioned products, aided by the ambition which prevails in all countries for the development of natural and artificial resources to meet their own wants and to supply the wants of others, have resulted in awakening competition for the supply even of those products which we have heretofore controlled. It is true that thus far this competition has not affected our trade to any appreciable extent, but the desire for development which is now abroad and the ambition which prevails to increase the production (outside of the United States) of the foregoing articles render consular supervision of absolute importance. The complex commercial relations and industrial interests which now prevail in Europe have originated hostility to American products in many countries and afford additional reasons for the enlargement and perfection of the consular service."

The same necessity has been pressed upon the Government at home by our representatives in the service abroad. In 1864 John Bigelow, consul at Paris, wrote:

"The practical results of our system, which in this respect has no parallel under any other government, are—

"(1) That we are obliged to select for consular posts men without the proper training and qualifications.

"(2) We are obliged to select men who have no intention of making a career in the consular service. Consequently they have no great inducement to qualify themselves properly for a post which they can hope to hold only for a brief term by the acquisition of knowledge of little or no use to them in any other profession.

"(3) The fact that our consuls are so transitory deprives them of their proper influence in the consular body, as well as in most political and social circles where it is the interest of the Government that they should circulate.

"(4) Such frequent changes prevent anything like uniformity or regularity in the conduct of consular business, which results in a serious prejudice to commerce and a grave inconvenience to the Department.

"(5) With each change of Administration the Government is exposed to lose the benefit of whatever knowledge and influence its agents have ac-

quired during their terms of service, and thus most of the time is served by raw and, therefore, to a considerable extent, by incompetent officers.

"There is no other country in the world where the tenure of the consular office is dependent upon the permanence of the home Administration. Nor can the practice be defended by any consideration whatever which looks to its usefulness and efficiency."

Surely no stronger evidence could be adduced, coming from one of experience in the consular service.

The Hon. Robert Adams, jr., when United States minister to Brazil, in 1889, wrote in the *North American Review*:

"The method by which the men are chosen for the positions necessarily brings forth poor candidates, while the short tenure of office, which is generally limited to the Presidential term, almost certainly so if a change of party takes place, and the meager salaries paid—in some posts hardly sufficient to support life in a respectable manner—deters competent men from entering the service. It should also be remembered that there is no promotion for efficient service; that a consul can not hope for a change of climate from a trying to a more healthful and genial one after a given period of service, and that there is always the prospect of returning to the United States broken down in health, unfitted to resume private business, and without prospect of further employment at the hands of the Government."

His excellency the Chinese minister, in a recent address before the University of Pennsylvania, said:

"Most European governments send young men to the East to learn the language and study the customs of the country. After a residence of two or three years, when they have proved themselves proficient, after passing a strict examination, they are then placed in responsible positions as student interpreters, consular assistants, etc. Merit is rewarded by promotion. Thus those governments have competent men specially fitted for service in the Orient. It might not be unwise for your Government to adopt a similar system."

Assistant Secretary Rockhill, in an article in the *Forum* for the month of February, 1897, sums up the evils of our consular system as follows:

- "(1) Imperfect mode of selection of consular officers.
- "(2) No permanency of tenure.
- "(3) Inadequate compensation, resulting in (a) the exaction of excessive fees and (b) the creation of consular agencies to increase salaries.
- "(4) Excessive number of fee consulates and commercial agencies.
- "(5) Imperfect enforcement of regulations, especially as regards amounts of fees and their collection."

This judgment from the late Assistant Secretary of State, who had especial charge of the consular service, is certainly deserving of great weight upon this subject.

The demand is growing in every direction. For the first time in many years the President of the United States in his official communication to Congress has referred to this necessity. The boards of trade all over the country have sent in resolutions indorsing a measure of this kind. The National Board of Trade, which met here in Washington only a short time ago, embracing representatives from almost every chamber of commerce throughout our country, heartily indorsed this project. Business men individually have given the measure their support. And we find, although the spectacle is a new one, members of Congress rising and asking questions, showing their interest in this measure. Above all, as I have said, in view of the advancement and expansion of our trade into our new possessions, it is necessary that this question should come before us.

Now, my colleagues, in closing I appeal to you one and all to lay aside any partisanship on this question. I know there are some gentlemen who have a prejudice against the law now on our statute books known as the civil-service law. I wish to keep this matter apart from that question. Consuls are apart from the general officeholders of this country. They are a small class of men, about 300 in number, who do not live in this country. I also know the feeling on the part of some members against giving up patronage. But, sir, no man need have any doubt in his mind as to the relinquishment of patronage with respect to consulships. I speak from personal experience. There will hardly be a man who will not have two or three constituents pressing him for appointment in the consular service. He is a lucky Congressman, even if a member of the Foreign Affairs Committee, who gets one appointment in the consular service.

What is the practical result? You place one constituent who goes abroad and you make dissatisfied the two or three who remain at home. When you turn and ask their support, as you may, for renomination, you may find the disappointed probably against you, and the man whom you have appointed, if you ask him to come home and support you, will tell you that he feels the obligation and that he would like to do it, but that his salary is so small that he can not afford the expense. And so you are left without the support of the one man upon whom you have a right to rely and the opposition of those whom you were obliged to dis-appoint. Whatever view you take of this question, whether economic or political, you will find that it is to the interest of the country and to our individual interest that this service should be reorganized and changed.

More than one Secretary of State, in their succession in office, have told me that their time is so taken up by the importunities of Senators and Congressmen for these places that they can hardly attend to the affairs of state. It is essential that they should be relieved of this and be enabled to give their time to those greater questions which affect our country so much. It has been urged here, and with perfect truth, that our service has received compliments. We have able men in our consular service, and I am the last one not to give them full credit for leaving their country and serving it in this occupation, but it is the principle that I

stand for. The appointment of these men is an accident; they may be good or they may be bad. It is impossible for the President to go into every case; he is called upon of necessity to rely upon the indorsements, the judgment, and opinions of others, and the result is that many disappoint his expectations, without any responsibility on his part. I ask that we inaugurate this system by which men may pass examinations, and thus relieve the Secretary of State and the President from these importunities, a system whereby the salaries may be equalized and whereby we can raise up the men in the service and give them a chance, so that if they do good work they will be retained and promoted, and if you do you will find that our service will be vastly improved and will give that efficiency which we have a right to expect.

Mr. Chairman, our country grows. The events of the last few years have placed us to the very foremost among the nations of the earth. Our commerce and trade are extending in a way that is almost phenomenal. The prospect of this country was never before so bright.

Let us go on in that development; let us give employment to every man, woman, and child in our country; let the hum of the factory and the smoke from the stacks whirl and curl together; let everyone have that prosperity and happiness under the institutions of our Government; but let us also remember that the Government can not proceed, that this prosperity can not continue unless, with that foresight which becomes a great and glorious people, we will put the machinery of government in such order, we will take advance steps to place our service on a par with that of any other country in the world, that America in this regard, like every other, will be to the front; that we will command the best talent of our country; that we will be assured that the best men will enter into it; and then, with that industry, ingenuity, and talent of our country we can press forth in the production of our mills and factories, knowing full well that the information that will come to us as to where to ship the products will be of that reliable character from energetic, pushing, educated Americans in our consular service that will bring renown and credit to the country and glory and prosperity to the inhabitants thereof. [Applause.]

Mr. HITT. Mr. Chairman, I will ask the gentleman from Arkansas [Mr. DINSMORE] to fill the time now.

Mr. DINSMORE. I yield thirty minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, I wish to-day to make a few "untutored remarks" about the cavities into which the tariff advocates in this country are daily depositing themselves—to expose a few of the inconsistencies in the present tariff condition, with side lights of the effect of tariff upon trusts.

Mr. Chairman, there is a curious tragedy-comedy now going on in this country; a comedy, in so far as those who are engaged in it are concerned and a tragedy in so far as the effect upon the American people is concerned. In the first scene of that tragedy-comedy, which is a tragedy-comedy of only one act, the advocates of tariff taxes appear as boasters and barons, and in the second scene of the one-act play they appear as beggars at the door of legislative halls. I want to show you how, when they are advertising their schemes and engaged in the business of developing trade, they unconsciously answer every argument which they make when they appear before the committees of the House and Senate as beggars for legislation. Now, Mr. Chairman, upon what ground are tariff taxes advocated? There have been from the beginning of the Government two schools. One is ours, and the other is yours. One has held that the Government had no right to tax any citizen except for the purpose of raising a revenue to support the Government.

The other has contended that, under the general-welfare clause of the Constitution, Congress has the right to levy taxes for purposes of "protection;" that a part of the "public welfare" is the encouragement of individual enterprise, or "business interests," as they call it. Now, suppose a tariff tax raises neither revenue nor furnishes any needed protection, then upon what ground can it possibly be advocated? If people engaged in a given industry sell their goods all over the world to foreigners, where, of course, they neither are, nor can be, protected as producers by our tariff tax, then one of three things must follow: They are either selling at cost, or below cost, or for a reasonable profit. Now, if they are selling either at or below cost, then they must expect one of two things, either to recoup at the expense of the American consumers in the home market, at more than a reasonable profit, or else to fail in their business, if they keep it up long.

We object to the theory that there is any right in the Federal Government, even within the lines of your long-cherished doctrine of protectionism, which you worship as a fetish, to levy a tax to enable the home producer to take possession of a foreign market at the expense of the home consumer. We deny that you have a right to fix your laws so that a man can sell at a loss abroad and "recoup" upon me and upon other citizens of this

country for the purpose of enabling him to make a profit out of his entire business put together, foreign and domestic. Democrats and Republicans alike, under their respective theories, must and will resent the foreign market "recoupment theory."

Now, if, upon the other hand, one is selling at a reasonable profit to the foreign consumers, then a tariff tax can answer but one purpose, and that purpose is to enable its beneficiary, under its protection, to get from the home consumer an unreasonable profit by shutting out from the home market the foreign producer, whom he can beat in any market.

Mr. Chairman, we object, I say, to building up foreign trade at the expense of the American people. Let us see what some of these things we are daily and yearly selling abroad are. Not long ago a gentleman by the name of Vanderlip, who was recently Assistant Secretary of the Treasury of the United States, wrote an article for Scribner's which was pronounced by the Outlook to be "thoroughly judicial in tone and as setting forth in strong relief the facts which have created [in Europe] the American alarm." The article was headed "The American invasion of Europe."

I want to read from this for the purpose of establishing the fact that in a dozen or more branches of American industry, highly protected at home by Dingley tariff rates, we are selling the product all over the world, and are demonstrating the fact that we can hold our own with the foreign producer and with the so-called "pauper labor" of Europe, right in the market where the "pauper labor" produces and where the foreign capital is exploited.

I know it will be answered by some that a good deal of this selling has taken place for the purpose of "building up a market" and "opening" it. But that can not be said with truth, because it has been going on now for half a dozen years. A man can not habitually sell at a loss for the purpose of establishing a new market without ruining himself, unless, as I said a moment ago, he can recoup by some legislative favoritism in another market, which in this case is the home market.

What does Mr. Vanderlip say?

American locomotives, running on American rails, now whistle past the Pyramids and across the long Siberian steppes. They carry the Hindoo pilgrims from all parts of the Empire to the sacred water of the Ganges. Three years ago there was but one American locomotive in the United Kingdom. To-day there is not a representative line there on which trains are not being pulled by American engines.

In Egypt, in India, in England competing in the colonies and in the home country with the locomotive and rail makers of Great Britain! In Siberia, in the protected market of Russia! Competing with the entire world!

And yet, Mr. Chairman, with these facts staring you in the face, if it were proposed in this House to-day to reduce the tariff upon rails or upon locomotives there would be a cry going up from all the men engaged in those industries in this country. They would crawl upon their very bellies, as beggars before the American Congress, with uplifted whites of eyes and outstretched hands, pleading that a reduction of duty would make beggars of them and would throw out of employment American labor.

Mr. Vanderlip says further:

American bridges span the rivers on every continent. American cranes are swinging over many foreign moles. Wherever there are extensive harvests, there may be found American machinery to gather the grain. In every market of the world tools can have no better recommendation than the mark, "Made in America."

That is from a Republican Assistant Secretary of the Treasury. He is engaged now as a tariff boaster. Later on doubtless he, with others who agree with him, will be engaged in the second scene of the one-act tragedy-comedy as a tariff beggar.

This structural iron which our manufacturers are selling everywhere is mainly the product of the steel trust, and yet how you scored, as a blasphemer against sacred things, the gentleman from Wisconsin [Mr. BABCOCK] when he wished to alter the Dingley bill in this respect, and how greedily you adopted a special rule to prevent him from offering an amendment to that effect!

You are keeping up a tariff on agricultural implements and making Southern and Western farmers pay extortionate prices for them, and our agricultural implement makers are meeting the world in competition "wherever there are extensive harvests!"

Hear Vanderlip, your own witness, again:

We have long held supremacy as a producer of cotton. We are now gaining supremacy as makers of cloths. American cottons are finding their way into the markets of every country. They can be found in Manchester, on the shores of Africa, and in the native shops of the Orient.

Think of that, Mr. Chairman.

As well as on the shores of Africa and in the native shops of the Orient.

Think of the triumph of our cotton manufacturers selling cotton goods in Manchester.

Oh, what a veritable "another Daniel come to judgment" is this "wise young man," Vanderlip! "I have thee, Jew, upon the hip!" Begging protection in the home market and selling

American cotton goods in Manchester, the home of cotton manufacturing!

Oh, that is what they are doing. Mr. Vanderlip says so, and he has told the truth. And yet the moment you raise your voice and ask to reduce the duty even a little bit, so that these same men can not make the home consumer pay as high a price as they are now making him pay, the cry goes out at once that you are threatening to "murder and destroy American industry;" that you are "striking American labor." Here is this great chief authority saying that we are not only meeting England and Germany all over the world in fair and equal competition in cottons, but also selling them in Manchester itself. Some member behind me says: "They sell cheaper there than here." Of course our manufacturers sell cheaper there than they do to us. But the point that I am dwelling upon now—whether they sell cheaper to us or not is outside of this question—the point is that they sell cheaper in England than the English can sell the same goods, or they would not sell them at all. Hear our Daniel further: "American windmills are working east of the Jordan."

Mr. GRAHAM. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. GRAHAM. I would ask the gentleman from Mississippi if he does not imagine that it is true that the system of protection has built up this trade to the extent that it has expanded now?

Mr. WILLIAMS of Mississippi. No; "the gentleman from Mississippi" never was so simple as to have that sort of an "imagination." I am poetic in my temperament, but not that much so. [Applause on the Democratic side.] The gentleman from Mississippi can tell the gentleman from Pennsylvania what has built it up; the broadest and most expansive area of free trade that ever existed on the surface of the earth—[renewed applause on the Democratic side]—the free trade between the States and Territories of the American domain. [Renewed applause.]

I can tell my friend what was the second factor that built it up. A people of peculiar individuality, self-reliant in their every fiber, built it up—people who had protected themselves from wild nature and wilder men, who had had to resort to every nerve-spring and invention in a new country, and, later on, after the pioneer stage of life had passed, resorted to the same invention and the same self-reliance and the same individuality to meet new conditions in a new country with improved machinery, labor-saving devices, cheaper production, and better articles. I can tell the gentleman another reason for it. We have not been weighted down by the immense cost of maintaining militarism which has weighted Europe down. We have not imposed on every industrial enterprise an immense tax for army and navy and colonial purposes, robbing those engaged in them of a great part of their capital, nor have we condemned almost every full-grown man to a life of from three to five years out of the workshop, to become a part of the army, as an idle consumer, and that, too, at the most useful, productive, and receptive time of his life. Our progress in the march which has fitted us to conquer the markets of the world is not a thing of recent birth, and it has been, moreover, constant and ever forward.

Now and then a sporadic or spasmodic check has been given to our progress, but that has been under high tariffs, low tariffs, and moderate tariffs alike. An advancing people is like the advancing of the tide when on the rise. It goes forward at the first and then recedes for a time—goes back a little—and goes forward further the next time, until it reaches its height.

Mr. BURK of Pennsylvania. I want to ask the gentleman from Mississippi whether this condition obtained from the year 1892 to 1896, and if the same opportunities for development were present during that period as since 1896?

Mr. WILLIAMS of Mississippi. Not as fully developed, and the same opportunities were presented to the country.

Mr. BURK of Pennsylvania. But no protection to the American industries.

Mr. WILLIAMS of Mississippi. Oh, wait. We were during that period experiencing first, and later recovering from, a panic. We have had panics before. We have had not only the panic of 1893, but there were four great panics before, and if the gentleman were as zealous a student of history as he is a political partisan he would have discovered that these panics have come under all sorts of tariff legislation.

Moreover, the particular panic referred to did not have its birth in America. It began with the failure of the Baring Brothers, of London, and swept over the world, reaching us last.

How could a world-panic in England, Australia, Austria, Germany, beginning in England and Australia in 1890—for that was the date of the crash of the Baring Brothers—be attributed by any sane man as an effect of an American tax law passed in 1894? I know that the "omnipotence of Congress" is a latter-day Re-

publican doctrine, but surely the doctrine is confined to our "insularities," and does not extend to foreign kingdoms nor to periods before Congress acted! Now, let me go on. Vanderlip again:

Bread is baked in Palestine from flour made in Minneapolis. American windmills are working east of the Jordan and in the land of Bashan.

Phonographs are making a conquest of all tongues. The chrysanthemum banner of Japan floats from the palace of the Mikado on a flagstaff cut from a Washington forest, as does the banner of St. George from Windsor Castle.

The first part of this is no news to us. Our American agriculture has always been in possession of the foreign market.

But "windmills in the land of Bashan." This is where the Scriptural bull came from. He must have been a tariff-baron bull, roaring with one lung: "We have captured the markets of the world," and with the other: "Protect us from European pauper labor."

The American typesetting machines are used by foreign newspapers, and our cash registers keep accounts for scores of nations. America makes sewing machines for the world. Our bicycles are standards of excellence everywhere. Our typewriters are winning their way wherever a written language is used.

Yet if you threatened to take off the tariff to-day from typewriters and typesetters and cash registers—if there is any tariff on cash registers—I expect you would hear the old familiar cry, "American industries are about to be murdered, assassinated, and throttled by the 'free-trade theorists,' and American labor is menaced with immediate starvation." Let me go on—

In all kinds of electrical appliances we have become the foremost producer. In many European cities American dynamos light streets and operate railways. Much of the machinery that is to electrify—

This gentleman is not quite so good in English as he is in some other things. I do not suppose he meant "electrify;" he meant to furnish with electric power—

Much of the machinery that is to electrify London tram lines is now being built in Pittsburgh. The American shoe has captured the favor of all Europe, and the foreign makers are hastening to import our machinery that they may compete with our makers.

And yet the shoe men are flooding me and are flooding all the members of this House with prescribed, forewritten, stereotyped circulars, asking us for God's sake to take the duty off of leather and let it come in as free raw material in order that they may "build up their industries." If the proposition were made to-morrow to reduce the duty on shoes a little bit—if we took the duty off hides, and the proposition were made to reduce the duty on shoes in order to make up for it, they would howl, and we should find politicians playing the old tune and fools dancing to it, that every reduction of the sacred duty means American starvation and a going backward of American civilization.

Mr. MOODY of Massachusetts. Let me correct the gentleman on that. I think the manufacturers of shoes would be quite content to submit to a very substantial reduction of tariff on the manufactured shoes if they could get free hides.

Mr. WILLIAMS of Mississippi. I know of only one reason to the contrary. I will take the House into my confidence. I received from some shoe men a circular of the kind that I mentioned, and I wrote back and asked the question: "In case we do this and put hides on the free list—and I am perfectly willing to do it, provided there is a reduction of a like character elsewhere—would you people consent to make a like reduction—an equivalent reduction upon shoes?" I got another circular from manufacturers of harnesses and carriages upon the same subject, and I wrote exactly the same answer to them, and it has now been four or five or six weeks, and I never have received an answer from either.

Let me go on:

In the Far East, in the capital of Korea, the hermit nation, there was recently inaugurated, with noisy music and flying banners, an electric railway, built of American material by a San Francisco engineer, and now it is operated by American motormen.

One might go on without end telling in detail the story of American industrial growth and commercial expansion. In the list of our triumphs we would find that American exports have not been confined to specialties nor limited as to markets. We have been successfully meeting competition everywhere. America has sent coals to Newcastle, cotton to Manchester, cutlery to Sheffield, potatoes to Ireland, champagnes to France, watches to Switzerland, and Rhine wine to Germany.

Now, I recommend the Rhine wine and the champagne propositions as an instance of American progress in trade by use of the means of "fraudulent imitation," so much decried during the oleomargarine discussion. [Laughter.] Now, my friends, so much for Mr. Vanderlip. I will read a comment by the editor of the Outlook, because he expresses it so much better than I can:

When concrete facts like these are made still more vivid to the mind's eye by pictures of an American bridge in Burma, an American typewriter in Uganda, American-equipped electric cars in Cairo, and other like illustrations of American inroads into the Old World, the reader is prepared to understand the significance of the often-repeated figures about the growth of our exports during the past few years.

Now, speaking of the effect of all this in Europe, the editor goes on to say:

The landowners have long been crying out against American competition. The recent enormous purchases of American manufactures have aroused

the same cry in the cities, and the cry in the cities has gained such volume as to make the American question foremost in all the capitals of Europe.

The danger that comes to us from this European alarm has already been noted in these columns. It is retaliatory legislation to exclude American products by tariffs as high as our own.

Gentlemen, if that retaliatory legislation comes at all, it will come because these people believe we are building up by a protective tariff wall an inside protected home-market that enables our manufacturers to sell at a profit to them by recouping in the United States. It makes no difference whether what they believe is true or not. They will resent it, just as we resent the effects of their sugar-bounty laws. Their retaliation will come against our agricultural products. Our farmers will, as usual, bear the brunt. Is it not wise to reduce your tariff within reasonable limits? And remember, on this occasion, when I say "reasonable limits" I am not speaking now as a Democrat, not as an advocate for "a tariff for revenue only," though I believe in that, but as a non-partisan American citizen. I am speaking to people who believe in tariff for revenue on my left and to those who believe in a tariff for protection on my right. But when the tariff furnishes *neither needed protection nor revenue* why not cut it down within reasonable limits? You can stop this retaliatory commercial warfare by reducing your tariff to a reasonable basis.

Now, my friends, one more thing in this connection. Here is the most amusing thing in this tragedy-comedy. Here is one Oxnard, a little while ago "sugar-beet baron" and now sugar-beet tariff beggar, at the doors of the committees of this House.

Mr. Oxnard writes this note to people who had heard that he had "assented" to something—"assented," forsooth, to legislation! He says:

We have assented to nothing; we claim there is no necessity for action. We were asked if we would consent to this measure, and replied that we would rather accept it than anything else that had been proposed; but we did not say we would accept the proposition. And, as a matter of fact, we stand as we have stood from the beginning on the proposition, believing that there was no necessity for any concession to the Cubans.

Here is an assumption on the part of a private citizen, never elected by the people—the source of power—to a legislative or an executive office, trusted with no public power in molding legislation, that it is necessary to get his "assent" and the "assent" of people who are thriving upon the ill-gotten gains of a too high protective tariff, in order that a legislative proposition may be considered reasonable and right.

There are members of the House, and always have been, who are ready to recognize as necessary the assent of such men to our legislation. I do not blame them, because their standpoint is not mine. Their standpoint is that you have the right to use the taxing power of the Government to build up private industries. But from my standpoint the greatest humiliation that can happen to a nation is for the chosen representatives of the people—the legislators under their fundamental law—to be asking not these questions: "What are the Governmental necessities?" "What are the capacities of the consumer to withstand taxation?" but these questions: "What do the capitalists in private business think about it?" "Do they think it will put money in their pockets, or do they think it will take money out?"

Now, I have read the language of Mr. Oxnard when he was figuring in the second scene as a tariff beggar. Let me read now his language when he was speaking in the first scene as a tariff boaster—a real live "captain of industry" and "tariff baron."

I told you in the beginning that I wanted to show you how these men, when they were engaged in exploiting trade, make full and complete and satisfactory answer to their own arguments when they are engaged in begging legislation. Here is his answer. Here is what Mr. Oxnard says in an official capacity, in a paper issued by him and Mr. Bayard Cutting, as the president and director of the great "American Beet-Root Sugar Company." Here is what Mr. Oxnard said in 1899:

Of the tropical countries which it is proposed to annex to the United States Porto Rico is too small to cut any figure.

So Porto Rico is out. When he says this he is encouraging the people to invest in beet-sugar factory stock; he is telling them to come in and help him build up this industry; he is trying to show how absolutely necessary it is that it should be, and could only be, a money-making industry. And his proposition is that Porto Rico can not hurt.

And the Philippine Islands have not the necessary elements for the expansion of the sugar business sufficiently rapidly to give any concern to those interested in the production of sugar from beets in this country for the next twenty-five years to come.

So the Philippines are disposed of. Yet when we wanted to enact a measure here by which the Philippines, as long as they were a part of the United States, should be treated like the balance of the Union, and have free importations into the United States, these very same people gathered around the halls of legislation and sang the old song of alarm and intimidation. They said that if we gave free trade to Philippine sugar we would ruin the American beet-sugar industry and the American cane-sugar industry. But in this article he says that the Philippines

can not hurt us. Let us go on, then, to Cuba. That is the question that is now being agitated; and it was in connection with the proposition for the reduction of the Dingley rates upon sugar from Cuba that Mr. Oxnard wrote the letter I read you a moment ago. Now what does he, when telling the truth as a business man, say about Cuba:

The island of Cuba is so situated that its sugar industry can rapidly recover the ground lost during the insurrection, provided that the labor question there can be satisfactorily settled.

I suppose he means, provided they can get Chinese labor.

There is, however, no fear that Cuban production, even under an annexation to the United States, can in our day expand to the point where the United States would become exporters of sugar instead of importers, and hence that protection would no longer protect.

Now, I call your attention particularly to the following language—it is Oxnard's:

Greater than all the above assurances of the permanence of the sugar industry in this country is the fact that sugar can be produced cheaper here than it can be in Europe. The sugar industry is, after all, merely an agricultural one. We can undersell Europe in the production of all other crops, and sugar is no exception. The sugar consumed in the civilized world consists of 3,000,000 tons of cane sugar grown in the Tropics, and 5,000,000 tons of beet sugar grown on the Continent of Europe. Therefore, in considering any given sugar enterprise, if it can meet and overcome the competition of sugar on the Continent of Europe, it is perfectly safe to say that it has a permanent future.

Now, Mr. Chairman, in that connection this may be said in reply to Oxnard and me, that while we can produce beet sugar here cheaper than they can in Germany or France, they enable their people by bounty to do what we enable some of our people, engaged in other industries, by tariff to do, namely, to sell their beet sugar cheaper to the foreigner than it is sold to the home consumer in Germany or in France; but the answer to that is; if we take off all duties on sugar, and if sugar were free so far as Cuba is concerned, it would not affect the proposition; and, further, that if sugar were free so far as the entire world is concerned it would not affect the proposition, provided only that we placed a tariff upon our sugar equal to the bounty given by these countries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I would like to have a little more time.

Mr. DINSMORE. How much more time do you want?

Mr. WILLIAMS of Mississippi. Ten minutes.

Mr. DINSMORE. I yield for ten minutes.

Mr. WILLIAMS of Mississippi. Now, a gentleman on the Republican side the other day made the first so-called Republican speech against trusts. Now, I freely admit that there has been a great deal of demagoguery and nonsense spouted on the stump and written in the newspapers about trusts, but that trusts are an evil whenever they reach a monopolistic stage, is a thing which I believe every liberty-loving, every individuality-loving, and every country-loving American will admit and must admit; and yet, when the gentleman made his so-called antitrust speech the other day, it was, in the language of a friend near me, "an apology for their existence and a plea for their continuance." That is the first utterance on trusts that I remember to have heard from that side. A great many impracticable propositions have been made regarding trusts, but I want to call your attention to two that are practicable in their character and that conservative men can advocate anywhere and without a word of direct legislation on the subject of trusts—that is, national legislation.

I believe there ought to be Federal legislation on the subject of trusts themselves, but these two propositions I intend now to expound are not in that line. Some gentleman the other day asked the gentleman from Texas [Mr. BURLISON] if he could point to a single trust which was "chartered and doing business under a Federal law." Of course there is none. The question was one that ought to have been answered in that way; but I can point to a great many which were enabled to begin their existence and are enabled to continue it under the protecting agencies of Federal laws upon other subjects. [Applause.] I believe there are two pieces of Federal legislation that might be enacted which would have the effect of restricting and limiting, if not of putting out of existence, the great trusts—the trusts which are monopolistic in their character. The first one which I would suggest, and which is suggested to my mind by this tariff discussion, is in line with the proposition made by the gentleman from Wisconsin [Mr. BABCOCK], only going further.

I say that if you would put upon the free list all trust-produced articles, all articles made by those trusts and combinations which are now selling to the foreigner cheaper than they do to the American, you would clip their wings, if you did no more effective work. They would "roost lower" hereafter.

There is another proposition. It has nothing to do with the tariff. The great Industrial Commission which has been sitting for long months has made a laborious investigation of the industrial condition of the United States. They are, I believe, though my memory upon that subject may be inaccurate, unanimous in reporting—and, if not, then a majority of them report—that one of

the first and most necessary things to be done in order to clip the wings of these trusts and to bring them down to where they will be upon a footing of equality with other American citizens engaged in competitive industrial enterprise, is to pass such legislation, strengthening the powers of the Interstate Commerce Commission, as will enable it to put an end to unjust railroad discriminations between producers.

It is an admitted fact upon their part, it is a fact admitted by everybody who has examined into the question, that the main ground upon which these trusts find a stable footing is the discrimination which the great railway systems constantly make in their favor. It is but natural that they should make that discrimination, because those people are their most important customers; but it is equally natural, in the words of the present occupant of the White House—words so soon forgotten by him—that we, the American Congress, the American people, should find a means—constitutional, fundamentally right—of “shackling cunning as civilization in the past found a means of shackling force.” Now, Mr. Chairman, I have taken more time in this discussion than I expected to take when I started in. I did not expect to speak this morning, but I could not resist the temptation of propounding to my Republican friends a Republican industrial conundrum—and when I say Republican friends I mean it, because I glory in the fact that I do not believe there is a man in the House that has more personal friends in it on that side—good men and square, fair and personally worthy of every man's commendation.

I want to put to you this Republican conundrum. It is this: If a tariff tax exists bringing in no revenue, and therefore with no *raison d'être* as a revenue measure, and furnishing no needed protection, because the producers of the goods have demonstrated their ability to sell abroad at a less rate than the foreigner can sell in his own home markets, then what reason for the continuance of that particular tariff tax can there be? Then, I want to propound this interrogatory also: If a great commission, a majority of whose members are of your own party, engaged in non-partisan industrial investigation, say to you virtually that you can clip the wings of monopolistic corporations which are destroying individual enterprise through unfair competition, by disabling the railroads from giving them unjust freight-rate discriminations, then, why not—not as Republicans, but as American citizens loving the old American spirit of self-dependence and individuality about to be stamped out—why not enact such legislation?

Are you willing to see all—90 per cent of—the American people become employees? I do not know how the balance of you feel about it, but I would rather be my own master at \$600 a year than to be the servant of any man or corporation at \$5,000.

Why, they are gradually pressing out of existence every one of the small and individual enterprises in the country. The time has come when a man with from \$3,000 to \$10,000 capital can no more go into business and hold his own, than a cat can fly across the Atlantic Ocean.

A great many foolish, and some unconstitutional, propositions have been made on this subject. Whenever men feel that they are drowning they grasp at straws. But I believe that our sacred shield ought to be the preservation intact of our fundamental law. I do not believe that you have a right to violate the Constitution, even to accomplish a public good. I do not believe that the “public welfare” justifies me or you in violating our oath to that instrument, because it is the instrument which gave us birth and by virtue of which alone we can have a justifiable existence. The “public welfare” after all is only what each Congressman would choose to call the public welfare. It would be a measure of constitutional power as variant as “Old Coke” said chancery jurisdiction was: “It might as well be measured by the length of each chancellor's foot.” But if, by any constitutional means in the world you can accomplish this curtailment of monopolistic power, and certainly your ingenuity is equal to it, because the Republican party, whatever else may be said of it—and some very hard things can be justly said of it—has never been a party of fools, you ought to do it. If any party in the world can find the means to throttle these trusts, to clip their wings at any rate—I do not mean to oppress them because they are rich or anything of that sort, but to put them upon an equal footing with every other citizen—can not you do it, and if so, are you going to let the opportunity pass?

If you do, you know, I know, the country knows that it will be a criminal omission of legislative duty and due, in your case, not to want of power or of intelligence, but to want of will.

You can do it, and without violating the Constitution, certainly not from your latitudinarian standpoint of constitutional construction.

Mr. GRAHAM. Is not your own State of Mississippi to-day violating that very Constitution which you uphold in the restriction of suffrage to the colored man?

Mr. WILLIAMS of Mississippi. No; a thousand times, no! And

the Supreme Court of the United States has said no, not by a majority of one, shifting from day to day, but by a unanimous vote. [Applause on the Democratic side.]

Mr. GRAHAM. Wait until the question comes up properly, wait until that court reaches it properly, and then you will find—

Mr. WILLIAMS of Mississippi. They have reached it properly, and they have passed upon it. The point went to the Supreme Court as to whether the constitution of the State of Mississippi, under which certain officers were chosen, was unconstitutional from the Federal standpoint.

Mr. GRAHAM. Yes; but did they pass upon it under the act of 1869, under which Mississippi came back from a state of rebellion?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS of Mississippi. I should like, as a Mississippian, to answer the gentleman's question, although it is absolutely irrelevant to the topics being discussed by me.

Mr. HENRY of Mississippi. I ask that the gentleman's time be extended.

The CHAIRMAN. Does the gentleman from Arkansas [Mr. DINSMORE] yield any more time to the gentleman from Mississippi?

Mr. HITT. I will yield five minutes of my time to the gentleman.

Mr. WILLIAMS of Mississippi. Now, gentlemen, a few words of coolness, because this is a question upon which we Southern men are apt to get excited, and it is a question upon which, of all questions, we ought not to get excited, but ought to keep cool heads.

The Supreme Court of the United States did pass upon that proposition. A case was carried to the Supreme Court, and among other things the very objection which the gentleman raises was urged, namely, that the State of Mississippi, notwithstanding the fact that, when she came back into the Union in the year 1869, she had put into her fundamental law at that time—into the constitution of the State of Mississippi—a provision that nobody should ever be disfranchised by an educational qualification, and notwithstanding that Congress had furthermore passed a law at the same time, readmitting Mississippi to the Union upon the express condition that she should not make a provision disqualifying anybody for educational reasons, had enacted in the new constitution an educational qualification. The Supreme Court held that Mississippi had a right to enact such a qualification.

In other words, in order to arrive at its decision the court had to hold, and virtually and impliedly, though not expressly, held, as every lawyer in this body would hold, that after Mississippi was once admitted into the Union, no matter under what Congressional conditions, she came in, and continued in it, as the equal of every State in the Union, with the right to do anything that Massachusetts had the right to do, or that Connecticut had the right to do; and there is not a clause in the constitution of the State of Mississippi that is not copied from some clause in some Northern State constitution, except one, and that is the so-called “understanding clause,” which is not nearly so bad as a clause that was in the constitution of Vermont, I believe, and may be there now for all I know, namely, that the selectmen must say that a fellow was of a good moral character before he could vote. Remember, too, that more negroes than white men are admitted to the ballot in Mississippi under the “understanding clause,” and that it is in extension and not in restriction of suffrage. The Supreme Court held that the Mississippi constitution of 1890 was not obnoxious to the charge of violating any part of either the fourteenth or fifteenth amendments to the Federal Constitution, or any other part of it.

Every point was raised that shrewd lawyers could raise—even the point that the constitution of Mississippi had not been submitted back to the people of the State for their affirmative ratification.

Of course, if the Supreme Court had thought that an act of Congress could make constitutional law and could make unequal States in a “Union of equal and indestructible States,” they were imperatively called upon on the facts and under the law of that case to say so. They were not so foolish.

Mr. GRAHAM. Have you the grandfather clause—

Mr. WILLIAMS of Mississippi. No.

Mr. GRAHAM. That so many object to?

Mr. WILLIAMS of Mississippi. Oh, my friend, all of the wisdom does not dwell in the East. All of culture and all of education is not in the North. There were wise men at the helm of the Mississippi ship of state, in those days—old James Z. George and men of his character, Wiley P. Harris, S. S. Calhoun—and what they meant to do they did, namely, accomplished the disfranchisement of corruption, ignorance, venality, and semi-venered savages without violating the Constitution of the United States. [Applause on the Democratic side.]

Mr. GRAHAM. What does the gentleman himself think about the grandfather clause?

Mr. WILLIAMS of Mississippi. My dear friend, am I to defend the entire South on a tariff and trust debate? I have defended the State of Mississippi.

Mr. GRAHAM. You are such an able defender—

Mr. WILLIAMS of Mississippi. There are men here who will defend their own States in their own way for anything that is in their constitutions. The task is theirs; they are able and willing, and the subject is not relevant to my remarks of to-day. If there is in any State constitution a provision violative of the Federal Constitution, the question will be decided by the Supreme Court of the United States, and if the Supreme Court decides that the "grandfather clause," which exists in one or two constitutions, is unconstitutional, that clause will go by the way; and when it goes by the way, if it shall, it will still leave us what our race has always possessed, and especially that superb part of the race to which I belong—the Southern white people, almost purely of English-speaking blood in their derivation—it will leave us with the intelligence, with the ingenuity, with the courage and the resolution to take care of the white man's code of ethics—his sacred family life, the capstone of it, and Caucasian civilization, the fruit of it all [loud applause]—without violating one word of the Constitution of the United States. [Applause.] If we do violate it, the Supreme Court will call us to halt, and we will then e'en do the work over again, and better, under their instructions. [Loud applause on the Democratic side.]

Mr. HITT. I yield to the gentleman from Kentucky [Mr. IRWIN] five minutes.

Mr. IRWIN. Mr. Chairman, prompted by what I regard as good taste and a wise course for a new member to pursue, I have heretofore refrained from seeking the privilege of the floor, and I do not rise now to make a speech, but simply to state my position, and to protest, in behalf of that portion of Kentucky which I have the honor to represent, against the astounding attitude that my colleague [Mr. WHEELER] assumed toward our distinguished guest, Prince Henry; and also to protest against his remarkable attack upon Hon. John Hay, Secretary of State, whom I regard as having extraordinary qualifications for the position he holds. To my mind there is no humor, only insult, in the epithet of "Little Dutchman," in the connection in which it was used.

The native-born Americans gladly join the German-Americans among us, who constitute so large and valuable a part of our citizenship, in resenting the insult to their Fatherland implied in the question of my colleague, "What do we care about the good will of the German people?"

As a Representative from Kentucky I disavow any indorsement of the sentiments expressed by the honorable gentleman from the same State in his speech delivered in this House February 14, 1902, and I sincerely hope, especially on account of the incident in the House of Representatives, that the people of Louisville, Ky., will be able to signalize the brief visit there of Prince Henry in such a manner as not only to redeem Kentucky from the unhappy and unworthy position in which she has been placed, but also to express the warm hospitality for which my State has always been famous and of which she is so justly proud. [Loud applause.]

Mr. HITT. Will the Chair recognize the gentleman from Pennsylvania as in charge of the bill?

Mr. DINSMORE. I yield thirty minutes to the gentleman from Kentucky [Mr. GILBERT].

Mr. GILBERT. Mr. Chairman, so long as the Administration adheres to its announced policy of holding in subjection a distant people and alien races, I shall consider it is not too late to protest, with the hope that those in power may yet be able to see the crime and folly of the enterprise. I maintain that history teaches these three propositions:

First. That no permanent civilization is possible in tropical climates;

Second. That any government, however virtuous in itself, forcibly imposed by one race upon another, always retards rather than advances the growth of the people held in subjection; and

Third. Freedom to work out their own destiny under laws of their own selection is the universal measure of national progress.

Then, first, no civilization worth the name has ever appeared within the Torrid Zone. This zone lies, as everybody knows, between the Tropic of Cancer on the north of the Equator and the Tropic of Capricorn south of the Equator; and in all the rise and fall of empires, in all the rise and wanderings of the races of men, no great cities have been built, no great literature has been written, and no great nations have been founded between these two lines. The Tropic of Cancer runs through Africa, but it is more than a thousand miles south of Gibraltar and 600 miles south of the mouth of the Nile.

So that the old civilizations of Egypt and Carthage were north of this line and within the Temperate Zone. Egypt was farther south than any other of the ancient civilizations, and so all of the great nations that existed around the shores of the Mediterranean were still farther north and farther away from the Tropics.

The Sphinx, the Temple of Luxnor, Baalbec, the Pyramids, and all the ancient landmarks of Egyptian civilization stand in the Temperate Zone. The Tropic of Cancer passes through Asia, but far south of Palestine and Persia. The civilizations on the banks of the Euphrates and the Tigris were hundreds of miles north of the northern line of the Torrid Zone. Babylon and Tyre; the ancient splendors of the Chaldean and Media-Persian Empires; Palmyra, Phoenicia, Asia Minor, the Greeks, the Romans, all flourished in the North Temperate Zone. Even Japan and China, and all the islands of the sea where human progress has been made, have been away from the heat and humidity of the Tropics. On the Western Continent this line passes north of the Sandwich Islands, through the center of Mexico, and just north of Cuba. The southern line of the Torrid Zone passes through Australia, but the great progress of that island, and, indeed, about the only progress made there has been south of the line and in the South Temperate Zone. The flourishing cities of Melbourne and Sidney, the great sheep-raising and mining industries of that island continent are all in the South Temperate Zone, while that portion within the Tropics is still covered with savages and forests.

Macaulay some years ago prophesied that a traveler from New Zealand might some day sit upon the broken columns of London Bridge and, with pencil in hand, take notes and moralize over the ruins of the ancient city. New Zealand and Tasmania have indeed made greater progress than any other countries in the South Sea Islands, but these are both in the Temperate Zone also and more than a thousand miles south of the Tropics. This line passes through nearly the center of South America, but the countries of that continent that are coming to the front are Chile, Argentina, Paraguay. The city of Rio de Janeiro and the great coffee and sugar plantations of Brazil are south of the line and in the Temperate Zone. This line passes through the southern portion of Africa; but the Transvaal, the Orange Free State, Cape Colony, and all the civilized portions of South Africa are in the Temperate Zone. Within the Torrid Zone some countries are found which are apparent exceptions to this rule. The high plateaus of southern Mexico and the northern part of South America are within the Tropics, and are perhaps capable of an advanced civilization.

But these countries really form no exception, because, although they are within the Tropics, they are, on account of their great elevation, blessed with the climate of the Temperate Zone.

Within the Tropics we find a long list of dreary deserts, savage races, and no civilization. And thus it has been through all the history of the world. All of the religions of antiquity except the lowest form of fetishism were founded in the Temperate Zone. Zoroaster and his Parsee followers; Osiris and Isis, and their Egyptian worshippers; Brahma and Buddha; Confucius, Mohammed; Christianity, Judaism, and all had their origin in the Temperate Zones. But the Philippine Islands are wholly within the Tropics and close to the equator at that, and the country is low, humid, and hot. All of our insular possessions—Porto Rico, the Sandwich Islands, the Philippine Islands, the new Danish Islands, and all of the possessions acquired during the last few years of our crazy commercialism—lie within this forbidden section of the globe.

If six thousand years of human history and the experience of all the world are worth anything, we must learn that it is impossible for any people to become progressive and civilized in these tropical climates.

But secondly, whatever any people anywhere are capable of achieving, it must be accomplished by themselves; they must evolve their own laws and their own institutions, and no alien race can forcibly interfere without retarding, rather than advancing, their progress.

Whatever any people, either in the Tropics or elsewhere, are capable of accomplishing will be best attained by allowing them freedom and by giving them full scope to work out their own destiny.

Various fortunes have been meted out to subjugated races. In many instances extermination has been their fate, as the Moors in Spain, the aborigines of Palestine, and others. Then, we find cases where the subjugated race has remained for centuries in slavery, without improvement or progress, as the Jews in Egypt, the Javanese under the tyranny of Holland, and the people of India under the foreign yoke of England, and others. Then, again, we find instances where the conquering race came and stayed in such numbers that by intermarriages the two peoples became blended into one, as the Normans in England, as the Romans in Gaul, or as the northern barbarians in southern Europe, or the Greeks in Asia Minor. But history furnishes no instance of an alien race held separately and in subjection improving under a foreign domination. You can not thrust upon any race of people a foreign yoke without injuring them and retarding instead of promoting their advancement. It matters not how superior the

laws and the institutions of the conquering people may be abstractly considered. Such laws and institutions imposed by superior force upon an unwilling race always prove disastrous to those who are forced to receive them. Fifty years ago Japan was a semibarbarous and half-civilized country. Suppose Commodore Perry, when he landed there, had shelled the cities of Japan and by an army of invasion had undertaken to thrust our modern civilization down the throats of these people, would Japan have advanced as rapidly as she has done?

By being left to pursue their own methods, by being allowed to fashion their own peculiar laws and institutions in their own way, they have made a marvelous progress, but which would have failed under the control of this country or of England or any other foreign power. Spain and Portugal tried for centuries with weapons in one hand and prayer books and rosaries in the other to force their ideas of religion and of civilization upon their colonies. Pizarro in Peru and Cortez in Mexico left those countries in an infinitely worse condition than when they were first discovered.

Not only so, but those countries continued to remain in a worse condition during all of the centuries the foreigner was struggling to improve them. So it has always been and always will be. When the alien race ceases to drive and never attempts to govern, but endeavors by friendly contact and commercial intercourse to trade, these influences will gradually have their beneficent influence upon the inferior race, and the people will develop. But always and everywhere the inferior race can only develop by methods and processes of their own selection.

England, too, has often tried the foolish experiment of thrusting the sword through the heathen in order to make him a Christian.

When Captain Cook discovered Australia there were many thousands of natives, and now they have almost been exterminated. So with the Sandwich Islands; so with the American Indians, and so everywhere in the history of the world. Egyptian civilization was the peculiar outgrowth and the evolution of her own people. Her architecture, her literature, her poetry, her religion, and everything were unlike those of any other country. Assyria tried to thrust her own superior culture down the throats of these people of the Nile. Assyrian literature, poetry, architecture, and everything were said to be superior to those of Egypt. The result of the effort was that Egypt became a wilderness, and her cities and monuments crumbled into dust. The Assyrian Empire became great and waxed strong for a thousand years. But the Persian invasion came and introduced what was thought to be a higher religion, new and better laws, and the Assyrian in turn and his civilization passed away.

Then came the Macedonian, with the elegance and culture of the Greeks, and undertook to introduce the splendid philosophy of Plato and the splendid architecture of Phidias, and Persia became a story and a tradition. The hand of the invader and sword of the conqueror may better the condition of the invader, but they have always been destructive of the defeated race, and have always everywhere caused their decline and decay. The colonies of the Roman Empire continued to be tribute-paying barbarians as long as the power of the conqueror remained. External force never advanced the civilization of any people. Certain races of mankind will reach by slow processes of evolution a certain stage of progress and there remain stationary for ages. We have tried for several hundred years to Christianize and civilize the Indian, and we have not even succeeded in making him cut off his hair. Proximity to civilization, opportunities to attend churches and schools do not affect him. He reached that degree of progress, or, if you prefer, he descended thus far in the scale of humanity, and no farther, by reason of his own inherent qualities, whether of strength or weakness, and no other nation can come to his rescue. The African negro likewise has roamed for ages over the Dark Continent utterly ignorant of the value of his country, unconscious of the splendid fertility of the soil, the salubrity of the climate, or the wealth of its mineral resources. Whether in the Tropics or out of the Tropics, there are certain races that must inevitably disappear, like the rattlesnake and the buffalo, before the march of civilization. No exterior force, however well intentioned, no civilized government, however wise, can elevate certain races.

But those that are capable of being civilized at all must evolve—grow up to it by laws and institutions of their own fashioning. Civilization is not a manufactured article and has no particular features or dimensions. On the contrary, every race and every nation that has succeeded at all has developed peculiarities, and no procrustean bed can be made to fit any two of them.

We insist, in the third place, that the universal prerequisite to the progress of any people is the right to make their own laws and to develop their own institutions in their own way. The dark ages of Europe, from the fifth to the fifteenth century, came as the result of the policy of the Roman Empire. That imperial

city held the provinces in subjection, denied them local self-government, and burdened them with taxes and tributes until they became more savage and barbarous than ever, and that barbarism reacted against the city until all went down together. When civilization began to dawn again its feeble appearance was first seen in local independent communities which, under the feudal system, permitted the people to cluster around the baronial castle and to enact local laws and customs of their own. Further on we find the free cities becoming the centers of wealth and culture—Venice, Florence, Padua, Genoa, and the Hanse Towns of Germany. These cities obtained charters which enabled them to make their own laws and build up institutions to suit themselves. And in proportion as they enjoyed freedom they outstripped their neighbors in science, in art, in wealth, and all that goes to make a cultivated and prosperous people.

These free cities taught modern Europe the value of freedom, and then the next step finds separate nations struggling for independence and with wars and revolutions finally establishing their separate national existence and the right to make laws for themselves.

Where there is a unity of race, of religion, of language, and interest under one government, that people may be a republic, a monarchy, or what not, and still they will make progress if it be a race capable of making progress at all. The form of government is not as important as to have home-grown institutions with laws and customs emanating among the people themselves. Let me repeat that an intermeddling alien race always does more harm than good, and it makes no difference that the intermeddler represents a superior race, nor does it make any difference that this intermeddler has a better government, or a better religion, or a wiser system of laws.

The Moors in Spain for eight hundred years had their own laws and their own religion and were an independent, thrifty, progressive people. They were perhaps the most civilized country then to be found in Europe. Malaga and Toledo, Cadiz and Grenada were splendid cities lighted with lamps, paved with cut stone, with fountains playing and flowers blooming in the parks. But the Spaniards came, determined to force upon them the Christian religion and a better system of laws. The result was the Moor and his cities disappeared, while ruin and desolation marked the path of the invader. Cortez found an Aztec civilization in Mexico, which was advancing and which had already made considerable progress.

These the Spaniards destroyed and those people made not another step forward until the yoke of the foreign oppressor was removed.

Since her independence Mexico has been slowly but surely coming to the front. When these Spaniards invaded Peru, they found splendid aqueducts running along the west slope of the Andes, furnishing abundance of water, which was skillfully diverted into channels for irrigation. They found fertile fields, cultivated with care, producing two and three crops a year. They found herds of fat sheep roaming the hillsides and their wool woven into cloth of many curious patterns and ornamented with many brilliant colors.

They found the splendid Temple of Cuzco carved with the chisel of the sculptor, the altar covered with burnished gold; and the rustic soldiers of Spain were awed by the chanting of the many worshippers who came to watch the rising sun. But with the conquest all these disappeared; no further progress was made for three hundred years, and not until that country again became free. The stereotyped answer to all this is that we are not oppressing the Filipinos and do not propose to oppress them. The argument is that we are going to establish schools, build roads, and teach these people self-government. This is no answer at all. Let me tell you again that you can not manufacture a civilization to order. It is a growth and not a manufacture. It is always and everywhere an evolution, and an evolution of the people themselves, and not superimposed by another race. We have already seen that whenever and wherever an alien race attempts by force to impose its laws and institutions upon another race the effort has always been in the past and always will be in the future a failure. Let me repeat that it matters not that your laws and your institutions are better, abstractly considered, than theirs.

The failure will be none the less signal on that account. The failure comes from the obvious fact that your modes of thought, your manner of doing things, your literature, your laws, your institutions, your architecture, your habits of life, and your everything are different from theirs, and the failure comes especially from the fact that these things are imposed by force, imposed by a foreign race, and because they are distasteful and unsuited to those people. You should never forget that the laws and institutions are valuable to a people only when they express the sentiments of the people themselves. England has better laws and institutions than Russia, and yet if England should subjugate

Russia or buy her and attempt to force those superior laws down the throats of the Muscovite he would not advance more rapidly by the change. He would not advance at all. He would retrograde. But you say the Filipinos welcome our invasion. If this be true, then it contradicts all the history and experience of mankind. It marks these people as the only race in all the world that ever welcomed a foreign invader.

No other people, since the journey of the Children of Israel across the Red Sea to escape the taskmasters of Egypt, have ever appeared who despised independence and hailed the coming of a strange people. This is the only race, if this be true, who were ever willing to throw away their mother tongue for the language of the stranger, who are willing to obey laws that are enacted, and who are willing to pay taxes that are imposed on the opposite side of the globe. No, gentlemen, the convict may smile in the face of his keeper with the hope of lightening his burden, but at heart he is praying for freedom. These people may or may not be capable of self-government—that is to say, they may or may not be capable of adopting and maintaining our form of Government—but beyond all question they are more capable of governing themselves in their own way than we are of governing them in our way.

Their government fashioned to suit themselves will be a better government for them than any we can impose upon them.

There is no tribe or people on the earth, and there never was, who were not capable of governing themselves better than any other people can govern them. We do not govern the American Indian.

We allow them to govern themselves according to their own tribal customs and usages. We have found that no other government is possible among them. We do not govern the Chinese. The Six Companies rule them according to Chinese laws and customs of which we know nothing. There is no such thing as a people not capable of self-government. There never was a people who did not thrive better and improve faster under laws of their own than under laws imposed by a foreign and alien race.

You are building schoolhouses and making roads, are you? So did Rome and Spain and Portugal and England. The Appian Way stretched over hill and dale and was broad and beautiful, but to the provinces it stood only as a monument of oppression. England has built railroads in India, but they only increase the number of pilgrims who flock to Delhi and Benares, who pray more fervently than ever to the gods of Brahma and Buddha to take away the strangers.

Your schools will only hasten the day of another revolt, and your roads will only increase the speed of a new-grown army.

The students in the schools of Russia are the greatest thorn in the side of the Czar, and these people that our schools are educating will be the first and the leaders in the next revolt, which is sure to come.

Hundreds of thousands of sturdy Englishmen have laid down their lives in India, but scarcely a Hindoo has been taught the philosophy of Bacon or made to understand the dramas of Shakespeare. Hundreds of thousands of Hollanders have died in Java, but not a Javanese has been made to love the poetry of Richter or to appreciate the reasoning of Kant. Hundreds of millions of dollars will be spent by this country in the Philippine Islands and hundreds of thousands of our young men in the coming years will leave their bones to bleach in the tropic sun of these far-off islands, but not a Filipino will ever be made to believe that we are adhering to the doctrines of the Declaration of Independence, or that we are governing them according to the teachings of Washington and Jefferson. We have assumed a task doubly impossible and absurd. Impossible and absurd because no civilization ever existed in any low, hot country like the Philippines. We had just as well undertake to open up an ostrich farm in the Klondike or to raise Polar bears in Cuba as to expect to transplant our Western civilization among those oriental and tropical people. Our task is impossible and absurd because no people while they are held in subjection by a different race ever made any progress, even in the Temperate Zone.

Now, mark my prophecy. Some fine day a new insurrection will come and a new army will be marching along these fine roads toward Manila. They will come like the hungry and ragged peasantry came to Paris, and the students you are now educating in your boasted schools will be the officers and the ring-leaders. Remember that race prejudices are eternal and the only way to keep these people pacified is to do worse than Spain and keep them in ignorance and slavery. Your schools and your roads will only serve to develop a national spirit and to hasten that new revolution.

Therefore history and the experience of mankind point out both what we can do and what we ought to do. We can go further and do worse than Spain. We can keep these people in more abject slavery, destroy their national spirit, and thus prevent revolutions. We can go there in great numbers and take possession of

the country as England has done in Canada and Australia, and thus make a larger America, as Canada and Australia and other countries go to make up a larger England. Nobody advocates either of these methods.

Then how can we make the schools we have established and the roads we have built profitable? And how can we haul down the flag consistently and withdraw from the islands now after having spent \$20,000,000 for them and started upon a policy of subjugation? It is always easy and honorable to do right.

The greatest act in the life of Mr. Gladstone was in confessing the wrongs of the Empire at Majuba Hill and withdrawing the British army from Africa. Every Englishman now regrets that this liberal policy had not been continued. So we can and ought to say to the Philippines just what we have said to Cuba: Form your government and we will get out. Allow them to make their own laws and to fashion their own institutions in their own way. This will not be retreating, nor will it be hauling down the flag. It will be carrying out what the American people and all the world supposed we meant to do when we ratified the treaty with Spain. Do that and the treaty of Paris will become the greatest act of disinterested devotion to the cause of human liberty the world has ever seen.

To pay \$20,000,000 for the privilege of liberating a down-trodden and oppressed people is the greatest and noblest act of the human race. Let us tell these people now that they shall be free and we can at once withdraw our Army and Navy.

They can, as all the world teaches us, govern themselves better than we can govern them. Let us erect on the shores of Asia a banner inscribed with the grand motto; "All men are created with certain inalienable rights; among these are life, liberty, and the pursuit of happiness."

Then these people will work out a civilization, the highest possible in that climate, the highest of which the race is capable, and our country will have accomplished the greatest of all national achievements.

The great English essayist and historian, Sir Thomas Carlyle, has said:

If England were presented with the necessity of surrendering either her Indian Empire or her Shakespeare, she would without a moment's hesitation surrender those vast Eastern possessions and hold onto those immortal dramas.

So let me say that the American Revolution was not fought in vain if thereby the human family learned the single sentiment, "All men are created with certain inalienable rights. Among these are life, liberty, and the pursuit of happiness."

It would be infinitely better for us and for the Filipinos to immediately surrender those far-off islands than to surrender those foundation principles of the Government upon which we have grown to be the most splendid example of human freedom that the world has ever seen. Let us not sell our birthright for a mess of pottage.

[At this point Admiral Prince Henry of Germany entered the galleries of the House.]

The Angles who settled England came from Germany. The Anglo-Saxon and the German, if we go back a few generations, were all of the same race. We are proud of the achievements of both races, and welcome you to America's Capitol.

Let me call the attention of this House to what some recent authors who are worthy of our attention have said upon this subject of thrusting one civilization upon an unwilling and alien race.

Professor Seeley, in the course of a series of lectures recently delivered at Cambridge, England, has this to say:

We doubt whether our rule of India is preparing them for a happier condition. We doubt whether it may not be sinking them lower in misery, and we have our misgivings that perhaps a genuine Asiatic government, and still more a national government springing up out of the Hindoo population itself, might in the long run be more beneficial because more genial, though perhaps less civilized, than such a foreign, unsympathetic government as our own. (Expansion of England, Prof. Seeley, p. 235.)

And this author proceeds to state what every observing and reading man already knows, as follows:

The instinct of nationality or of separate religion is so strong among all peoples that they more than supply the place of valor or of discipline. The desire for independence is universal among mankind, and is diffused among the whole population, whereas valor and discipline are confined to the fighting part of the invading country. * * *

The elements that go to make a nationality are unity of interest, uniformity of language, and sameness of religion.

The historian, Ireland, in his recent book, *Tropical Colonization, 1899*, shows (page 230) that now after England has been in India for more than two hundred years she can sell but a trifling amount and receives from them a still less amount. This is his language:

We have seen that England can only sell her tropical subjects 71 cents' worth of goods per capita each year, and that she draws from each only 66 cents' worth of supplies.

In a recent work, styled "English Colonization and Empire," by Alfred Caldecott, the author says (page 3):

Again and again the cooler climes have sent their wholesomely nurtured hordes to reap the fruits of the labors of enfeebled nations dwelling in the

milder regions, either to return with spoils or to be mingled with the conquered, themselves after a time of brief prosperity to be subjected to a like treatment in their turn.

Elsewhere this author says (page 74):

The growth of the English constitution is a result of long and detailed struggle, and none but the most optimistic of doctrinaires would waste time in endeavoring to transplant it to Asia.

Now, mind you, these are English authors speaking of their own failures in the East. Everybody knows that England has been the most successful colonizer in the world's history, and what horrid tales of atrocity and failure follow the bloody story of Holland in Java, of Spain and Portugal in the West Indies, in Africa, and everywhere they have gone to colonize and elevate inferior races.

But we are going to civilize the Filipinos. We are there now, loaded down with the implements of civilization.

On one side of the streets we have books and Bibles, missionaries and teachers; on the other we keep bloodhounds and halters, rifles and torches, bayonets and tariff schedules, and over all is a carpetbag government wielded by high-salaried strangers speaking a strange tongue, strangers whom they have not selected-making laws they do not want, but whose high salaries they are taxed to pay. No, gentlemen, we are on the same old broad beaten highway of folly and crime, along which through all the ages strong nations have traveled to the destruction of most that was pure and good and beautiful. [Loud applause on the Democratic side.]

Mr. ADAMS. Mr. Chairman, I yield thirty minutes to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK. I yield my time to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, a year ago I had occasion to submit some remarks to this House which were somewhat of a surprise to the House and the country. I admit that the facts at that time were a surprise to myself, as I had not investigated the matter prior thereto, and I expect at this time to follow it up with some remarks, and the information upon which they are based may perhaps be a surprise even to the members of this House. On that occasion I compared the applications for pensions from five regiments from Northern States and five from Southern States who had had like service in the war with Spain, and it was found upon comparison that there were five times as many applications for pensions from the Northern regiments as there were applications for pensions from the Southern regiments of like service and exposure to injury.

That statement opened the eyes of the country. I charged then and I charge now that it was due to environment. I said then and I say it now, that the South will be in the same condition when the same causes have existed at the South as long as they have at the North. I asked the House then to call a halt and I ask it to do so now. I want now to call attention to what this House did in the passage of private pension bills in the short session of the Fifty-sixth Congress. There were four days upon which private pension bills were considered, and 707 bills were passed in those four days. How much consideration could they have had from this House? How much consideration did they have from the committee? It is utterly impossible for that number of bills to be given that consideration which legislative measures should have in so short a time. Nearly every one of these bills was for increase. Why do men come to this House asking for pensions? They come because they are not entitled to them under the general law or else their title is defective under the requirements of the general law as administered at the Pension Bureau.

Ought the old soldier whose title to a pension is absolute to receive worse treatment at the hands of this Government than the soldier who either has no title under general law or a defective title? But what are the facts? The amount of increase granted by special pension legislation was, in round numbers, 200 per cent more than the same soldiers would have received under the general law at the Bureau if their title under general law had been perfect. What hope, then, is there that the flood gates of private pension legislation will ever close? When the soldier of doubtful merit and doubtful title appeals to the generosity of this House and finds that he receives, for doubtful title and doubtful service, three times the consideration that the soldier of absolute title receives under the general laws of the country, where is this abuse to end?

Mr. ADAMS. I ask the indulgence of the gentleman to move that the committee do now rise, and he shall have his place when the committee resumes its session.

Mr. SIMS. Certainly.

Mr. ADAMS. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole House on the state of the Union, reported that that com-

mittee had had under consideration the bill (H. R. 11471) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1903, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 219. An act for the relief of Mary Chambers, widow of Thomas Chambers;

S. 1573. An act to authorize Commander James M. Miller, United States Navy; Surg. Oliver D. Morton, United States Navy, and Mr. Edwin V. Morgan, formerly secretary of the Samoan Commission and now secretary of the legation of the United States at Seoul, Korea, to accept presents tendered to them by His Majesty the Emperor of Germany.

LEAVE TO EXTEND REMARKS.

Mr. GILBERT. I ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks leave to extend his remarks in the RECORD. Is there objection?

There was no objection.

And then, on motion of Mr. ADAMS (at 4 o'clock and 19 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Frederick Demmien against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and law in the French spoliation cases relating to The schooner *Sally*, Jacob Osgood, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War transmitting, with a letter from the Chief of Engineers, the claim of Robert Birnie—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War, submitting an estimate of appropriation for road from the Aqueduct Bridge to Fort Myer, Va.—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11599) to redivide the district of Alaska into three recording and judicial divisions, reported the same without amendment, accompanied by a report (No. 582); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 6553) to change the boundaries between the southern and central judicial districts of the Indian Territory and to establish a United States commissioner's court at Durant, Ind. T., reported the same with amendment, accompanied by a report (No. 583); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9962) to authorize the construction of a bridge over the Missouri River at or near the city of Kansas City, Mo., reported the same with amendments, accompanied by a report (No. 584); which said bill and report were referred to the House Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 184) to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C., reported the same with amendment, accompanied by a report (No. 585); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Arizona, from the Committee on the Territories, to which was referred the bill of the House (H. R. 3090) to approve and ratify an act of the legislative assembly of the Territory of Arizona, entitled "An act to provide for the collection, arrangement, and display of the products of the Territory of Arizona at the International Exposition to be held at St. Louis in 1903," reported the same without amendment, accompanied by a report

(No. 586); which said bill and report were referred to the House Calendar.

Mr. ROBINSON of Indiana, from the Committee on the Territories, to which was referred the bill of the House (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc., reported the same without amendment, accompanied by a report (No. 589); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PERKINS, from the Committee on Foreign Affairs, to which was referred the bill of the House (H. R. 11576) granting permission to Capt. B. H. McCalla and others to accept present and decorations tendered to them by the Emperor of Germany and others, reported the same without amendment, accompanied by a report (No. 581); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6467) granting an honorable discharge to Samuel Welch, reported the same without amendment, accompanied by a report (No. 588); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7445) for the relief of the legal representatives of Neafie & Levy, reported the same without amendment, accompanied by a report (No. 590); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred, as follows:

A bill (S. 3097) granting an increase of pension to Joseph A. Nunez—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (S. 3064) granting an increase of pension to Emma Sophia Harper Cilley—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (S. 1942) granting an increase of pension to Kate H. Clements—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RODEY: A bill (H. R. 11721) providing for the reapportionment of the Territory of New Mexico—to the Committee on the Territories.

Also, a bill (H. R. 11722) for the relief of small-holding claimants within the limits of the grant to the Atlantic and Pacific Railroad Company—to the Committee on the Public Lands.

By Mr. HASKINS: A bill (H. R. 11723) increasing the limit of cost of the public building, including site, heretofore authorized to be erected at Newport, Vt.—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS: A bill (H. R. 11724) to authorize and legalize the use of the system of chronology known as "The prophetic Biblical system of chronology," or "Cruzen's Christian Chronology," developed by James H. Cruzen—to the Committee on the Judiciary.

By Mr. JONES of Washington: A bill (H. R. 11725) to amend section 4139 and section 4314 of the Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

By Mr. HOLLIDAY: A bill (H. R. 11726) making appropriations for the improvement of the Wabash River, in the State of Indiana, from the southern limit of the city of Terre Haute to the northern limit of the city of Clinton—to the Committee on Rivers and Harbors.

By Mr. STEPHENS of Texas: A bill (H. R. 11727) requiring the United States Government to furnish post-office boxes permanently to all citizens paying the first cost of their box in all post-offices now renting boxes to citizens, and to repeal all laws inconsistent with this act—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUD: A bill (H. R. 11728) to classify the rural free-delivery service and fix the compensation of employees thereof—to the Committee on the Post-Office and Post-Roads.

By Mr. EDWARDS: A bill (H. R. 11729) to amend section 2593 of the Revised Statutes, relating to ports of entry—to the Committee on Ways and Means.

By Mr. WILCOX: A bill (H. R. 11730) to fix the term of office

of senators elected at the first general election of the Territory of Hawaii; also the apportionment of those to be elected at the general election in November, 1904—to the Committee on the Territories.

By Mr. SOUTHARD: A bill (H. R. 11731) providing for the purchase of a site and the erection of a public building thereon at Toledo, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. CASSEL: A bill (H. R. 11732) to provide for the erection of a public building at Columbia, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. ADAMS: A bill (H. R. 11733) to amend an act entitled "An act to allow the bottling of distilled spirits in bond," approved March 3, 1897—to the Committee on Ways and Means.

By Mr. NEEDHAM (by request): A bill (H. R. 11734) to amend section 2322, chapter 6, of the Revised Statutes of the United States—to the Committee on the Public Lands.

By Mr. TAYLER of Ohio: A bill (H. R. 11735) providing for the erection of an addition or extension to the post-office building at Youngstown, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. GOOCH: A resolution (H. Res. 142) to replace the name of Jefferson Davis, Secretary of War in 1853, on the bridge across Cabin John Creek—to the Committee on Military Affairs.

By Mr. KNOX: A resolution (H. Res. 143) making clerk of Committee on the Territories an annual clerk—to the Committee on Accounts.

By Mr. ELLIOTT: Memorial of the assembly of South Carolina, favoring the passage of the bill to promote the efficiency of the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BELL: A bill (H. R. 11736) for the relief of O. E. Noland, of Mancos, Colo.—to the Committee on Claims.

By Mr. BOREING: A bill (H. R. 11737) granting a pension to Irene Hill—to the Committee on Pensions.

By Mr. BOUTELL: A bill (H. R. 11738) granting an increase of pension to Orrin L. Mann—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 11739) granting an increase of pension to S. N. Northway—to the Committee on Invalid Pensions.

By Mr. BURK of Pennsylvania: A bill (H. R. 11740) for the relief of Thomas J. McGinnis—to the Committee on Claims.

By Mr. BURKETT: A bill (H. R. 11741) granting an increase of pension to George H. Holley—to the Committee on Pensions.

By Mr. CASSINGHAM: A bill (H. R. 11742) granting certain lots in Gnadenhutten, Ohio, to Gnadenhutten special school district—to the Committee on the Public Lands.

By Mr. CURTIS: A bill (H. R. 11743) for the relief of Charles Holborn, and for other purposes—to the Committee on Claims.

Also, a bill (H. R. 11744) to remove the charge of desertion from the record of Hubbard Frisbie—to the Committee on Military Affairs.

Also, a bill (H. R. 11745) for the relief of Hiram B. Hatten—to the Committee on Military Affairs.

Also, a bill (H. R. 11746) for the relief of Jessie K. Sirlott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11747) for the relief of Uriah Barnes—to the Committee on Military Affairs.

Also, a bill (H. R. 11748) granting an increase of pension to Samuel Ashmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11749) granting an increase of pension to Thomas Dockery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11750) granting an increase of pension to John Billingsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11751) granting a pension to Frederick Figgalla—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11752) granting a pension to Richard L. Shanks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11753) granting a pension to Albert D. C. Walker—to the Committee on Pensions.

By Mr. BROWNLOW: A bill (H. R. 11754) for the relief of George Washington Wallace—to the Committee on Military Affairs.

By Mr. DAHLE: A bill (H. R. 11755) to provide compensation for injuries received by George E. Giles, of Watertown, Wis., at the Ford's Theater disaster, which occurred June 9, 1893—to the Committee on Claims.

By Mr. DALZELL: A bill (H. R. 11756) to remove the charge of desertion from the military record of Henry A. Levake—to the Committee on Military Affairs.

By Mr. DAVIS of Florida: A bill (H. R. 11757) for the relief of

the estate of Eliza Turner, deceased, Richard H. Turner, and Eliza Turner—to the Committee on War Claims.

Also, a bill (H. R. 11758) for the relief of the estate of W. A. D. Roberts—to the Committee on War Claims.

By Mr. GOOCH: A bill (H. R. 11759) for the benefit of John W. Kirby, late sheriff of Gallatin County, Ky.—to the Committee on Claims.

By Mr. HAMILTON: A bill (H. R. 11760) granting an increase of pension to William L. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11761) granting an increase of pension to Lewis H. Sanford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11762) granting a pension to Benjamin S. Harris—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 11763) granting a pension to Greenbury Hogue—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 11764) granting a pension to John Hurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11765) granting an increase of pension to Salina T. Helms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11766) granting an increase of pension to John Tindall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11767) granting an increase of pension to Cyrus H. Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11768) to correct the military record of Benjamin Cornwell—to the Committee on Military Affairs.

By Mr. JONES of Virginia: A bill (H. R. 11769) for the relief of Sarah Ann Collins and Loretta Turlington—to the Committee on Pensions.

Also, a bill (H. R. 11770) for the relief of the heirs of John Turlington—to the Committee on Pensions.

Also, a bill (H. R. 11771) for the relief of William Thomas, of Accomac County, Va.—to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 11772) for the relief of William J. Meadows—to the Committee on Military Affairs.

Also, a bill (H. R. 11773) granting a pension to Gertie Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11774) granting an increase of pension to Nancy Pierce, widow of Frank H. Pierce—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 11775) for the relief of the heirs of George M. Campbell, deceased, late of Hot Spring County, Ark.—to the Committee on War Claims.

By Mr. LOVERING: A bill (H. R. 11776) granting a pension to George C. Peterson—to the Committee on Pensions.

By Mr. McCALL: A bill (H. R. 11777) granting an increase of pension to Mary A. Craigue—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: A bill (H. R. 11778) to correct the military record of Patrick O'Connor—to the Committee on Military Affairs.

By Mr. NAPHEN: A bill (H. R. 11779) granting an increase of pension to Margaret J. Kibble—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 11780) for the relief of Charles D. Watson—to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 11781) to appropriate money to pay the claim of the Indiana State board of agriculture—to the Committee on War Claims.

By Mr. PALMER: A bill (H. R. 11782) granting an increase of pension to Allen Hockenberry—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 11783) granting an increase of pension to Charles M. Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11784) for the relief of B. F. Ludwig, former postmaster at Huntsville, Ala.—to the Committee on Claims.

Also, a bill (H. R. 11785) for the relief of William R. Rison, trustee of Harriet M. Barnard and others—to the Committee on War Claims.

By Mr. RYAN: A bill (H. R. 11786) granting a pension to Peter Clabeau—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11787) granting a pension to John J. Manner—to the Committee on Pensions.

By Mr. SHAFROTH: A bill (H. R. 11788) granting an increase of pension to Joseph Allison—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 11789) granting an increase of pension to D. T. Towles—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 11790) granting an increase of pension to Abel Woods—to the Committee on Invalid Pensions.

By Mr. VANDIVER: A bill (H. R. 11791) granting a pension to Andrew Litzelfelner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11792) granting a pension to David E. Cummins—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 11793) granting an increase of pension to John Reilly, Company B, Thirty-ninth Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 11794) granting an increase of pension to John M. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11795) granting an increase of pension to Martin V. Dial—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 11796) granting a pension to Mary Danahay, invalid sister of Daniel Danahay, late a private in Company H, Eighteenth New York Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11797) for the relief of Joseph D. Grinnell—to the Committee on Invalid Pensions.

By Mr. DAHLE: A bill (H. R. 11798) granting an increase of pension to Ole Oleson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11799) granting a pension to Christian A. Weber—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of William Cuppy Post, No. 195, Grand Army of the Republic, Department of Indiana, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. ADAMS: Resolution of Philadelphia Board of Trade, indorsing the acquisition of the Danish West India Islands—to the Committee on Insular Affairs.

Also, resolution of the Philadelphia Board of Trade, urging an early adjustment of the trade relations with Cuba—to the Committee on Ways and Means.

Also, resolution of the Philadelphia Board of Trade, relating to the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Resolutions of Brotherhood of Locomotive Engineers, Division No. 105, of New York, N. Y.; Division No. 419, of Brooklyn, N. Y.; Division No. 15, of Buffalo, N. Y., and of D. F. Wait Lodge, No. 296, favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Tonawanda Branch, Lake Seamen's Union, of Tonawanda, N. Y., and of the Lake Seamen's Union of Buffalo, N. Y., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Marine Firemen, Oilers, and Wipers' Union No. 124 and of Journeymen Barbers' Union No. 141, of Buffalo, N. Y., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Lake Seamen's Union of Buffalo, N. Y., protesting against the passage of House bill No. 7189, to change the name of the United States Marine-Hospital Service to that of "United States Health Service"—to the Committee on Interstate and Foreign Commerce.

Also, protest of International Brotherhood of Electrical Workers No. 3, of New York City, against the passage of Senate bills 2054 and 1466, to regulate wiring in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BABCOCK: Resolution of the Board of Trade of La Crosse, Wis., favoring a national park reservation in Minnesota—to the Committee on the Public Lands.

Also, papers to accompany House bill 10782, granting a pension to Ole Steensland—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Resolution of Central Labor Union, American Federation of Labor, of Rome, Ga., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Local Union No. 326, United Brotherhood of Carpenters and Joiners, of Macon, Ga., relative to admission of immigrants—to the Committee on Immigration and Naturalization.

By Mr. BELL: Resolution of stage employees, Colorado Springs, Colo., favoring the exclusion of Chinese—to the Committee on Foreign Affairs.

Also, resolution of A. Lincoln Post, No. 4, of Denver, Colo., Grand Army of the Republic, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of railroad conductors, Trinidad, Colo.; Carpenters' Union, Victor, Colo., and locomotive engineers, Pueblo, Colo., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BENTON: Petition of Liberal Post, No. 515, of Liberal, Mo., Grand Army of the Republic, advocating the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. BOWERSOCK: Resolutions of the Merchants' Exchange of San Francisco, Cal., favoring the admission of certain classes of Chinese—to the Committee on Foreign Affairs.

Also, resolution of board of supervisors of Mohave County, Ariz., requesting Congress to fix a tax valuation on the property of the Santa Fe Railway Company throughout Arizona—to the Committee on Pacific Railroads.

Also, resolution of city council of Atchison, Kans., protesting against interference by the United States with construction of a Pacific cable by private enterprise—to the Committee on Interstate and Foreign Commerce.

Also, petition of Mrs. Mary T. Gray and other citizens of Kansas City, Kans., praying for the enactment of a law against polygamy—to the Committee on the Judiciary.

Also, resolutions of the synod of Kansas of the United Presbyterian Church, at Clay Center, Kans., protesting against the repeal of the anticanteen law—to the Committee on Military Affairs.

By Mr. BROMWELL: Petitions of Jacob Bossong, Albert Wettig, and other citizens of Hamilton County, Ohio, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Boot and Shoe Cutters' Union No. 216, Jewel Workers' Union No. 4, Beer Drivers and Stablenmen's Union No. 175, Cigar Makers' Union No. 481, Distillery and Yeast Workers' Union No. 9117, all of Cincinnati, Ohio, favoring exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. BROWN: Petition of Trans-Alaskan Railway Company, urging the passage of the bill granting land in Alaska for the construction of the railroad owned by the company named—to the Committee on the Public Lands.

Also, petition of James Shields Post, No. 145, Grand Army of the Republic, Department of Wisconsin, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolutions of the Marine Council of the Port of Milwaukee, Wis., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Henry C. Isbell Post, Grand Army of the Republic, Birnamwood, Wis., and Retail Clerks' Protective Association of Marinette, Wis., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Marine Council of the Port of Milwaukee, Wis., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also resolution of the Marine Council of Milwaukee, Wis., in opposition to House bill No. 9685—to the Committee on the Merchant Marine and Fisheries.

Also, petition of business men and liquor dealers in Arboretum, Woodruff, and Minocqua, Wis., urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

By Mr. BURKETT: Resolutions of Post No. 84, Grand Army of the Republic, of Falls City, Nebr., favoring the building of naval vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of citizens of Richardson County, Nebr., favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. CALDERHEAD: Petition of the Synod of Kansas, of the United Presbyterian Church, in opposition to liquor saloons, and against the repeal of the anticanteen law—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Western Retail Implement and Vehicle Dealers' Association, against House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of the board of supervisors of Mohave County, Ariz., in opposition to legislation exempting the Santa Fe Railway Company from taxation in Arizona Territory—to the Committee on Pacific Railroads.

Also, resolution of the Merchants' Exchange of San Francisco, Cal., for the admission of the mercantile class of Chinese—to the Committee on Foreign Affairs.

Also, memorial of the American Hawaiian Steamship Company, protesting against the passage of Senate bill 1970 and House bill 965, granting an American register to the foreign-built barkentine *Hawaii*—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Brotherhood of Locomotive Engineers, Herington Division, Kansas, favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the interstate-commerce law convention, St. Louis, Mo., for the passage of amendments to strengthen inter-

state-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Manhattan Post, No. 271; Lew Gove Post, No. 100, Department of Kansas, Grand Army of the Republic, urging that the navy-yards be utilized for the construction of war vessels—to the Committee on Naval Affairs.

Also, editorial from the Commercial West relating to the evils of "bucket shops," and favoring a continuance of the tax—to the Committee on Ways and Means.

By Mr. CASSEL: Resolution of Cigar Makers' Union No. 301, of Akron, Pa., and Cigar Makers' Union No. 257, of Lancaster, Pa., favoring the exclusion of Chinese laborers from the United States and insular possessions—to the Committee on Foreign Affairs.

By Mr. CURRIER: Petition of Woman's Christian Temperance unions of North Weare, Peterboro, North Charlestown, and Epping, N. H., and petition of C. H. Knight and 14 other residents of Peterboro, N. H., favoring the adoption of an anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, resolutions adopted by Iron Molders' Union No. 257, of Nashua, N. H., favoring more strict immigration laws—to the Committee on Immigration and Naturalization.

By Mr. CURTIS: Petition of the Shawnee Indians, members of the Cherokee tribe, for a division of their lands—to the Committee on Indian Affairs.

Also, resolution of the Topeka (Kans.) Commercial Club, condemning the proposed Bowersock land-grazing bill—to the Committee on the Public Lands.

Also, resolution of Western Retail Implement and Vehicle Dealers' Association, held in Kansas City, Mo., against House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of International Association of Machinists of Topeka, Kans., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Quapaw Agency, Ind. T., against House bill 6563, to organize Quapaw County—to the Committee on Indian Affairs.

Also, resolutions of Post No. 253, of Axtell, Kans., Grand Army of the Republic; Barbers' Union, and Retail Clerks' Union, of Leavenworth, Kans., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. DAHLE: Petition of Philo C. Buckman Post, No. 153, of Stoughton, Wis., Grand Army of the Republic, favoring the building of vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. DALZELL: Papers to accompany House bill 11756, for the removal of the charge of desertion from the military record of Henry A. Levake—to the Committee on Military Affairs.

By Mr. DEEMER: Petition of Etz Post, No. 401, of Tioga, Pa., and of Colonel John D. Musser Post, No. 66, Grand Army of the Republic, of Muncy, Pa., favoring an investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, resolution of Carpenters and Joiners' Union No. 691, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. EDWARDS: Report to accompany House bill 11659, relating to Indians of the Crow Reservation in Montana—to the Committee on Indian Affairs.

Also, paper to accompany House bill 11729—to the Committee on Ways and Means.

By Mr. FOSS: Petitions of Retail Clerks' Union No. 444 and Piano and Organ Workers' Union No. 1, of Chicago, Ill., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Lake Seamen's Union of Chicago, Ill., protesting against the passage of House bills 9685 and 7185—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOSTER of Vermont: Petition of Old Brigade Post, No. 47, Grand Army of the Republic, Department of Vermont, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

Also, petition of J. W. Lavigne and 2 others, for tariff concessions to Cuba—to the Committee on Ways and Means.

By Mr. GOOCH: Resolutions of Watch Case Engravers' Union No. 2, of Newport, Ky.; Iron, Steel, and Tin Workers' Unions Nos. 5 and 8, of Newport and Covington, Ky., in favor of the re-enactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. GRAHAM: Report of the committee on resolutions of the Ohio Valley Improvement Association, Cincinnati, Ohio, for the improvement of the Ohio River at various points, etc.—to the Committee on Rivers and Harbors.

Also, resolutions of Branch Union No. 95, Glass Bottle Blowers'

Association, of Tarentum, Pa., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of the Chamber of Commerce of Pittsburg, Pa., in relation to the Pittsburg Pool and Davis Island Dam—to the Committee on Rivers and Harbors.

By Mr. GREEN of Pennsylvania: Resolution of Amalgamated Sheet-Metal Workers' Union No. 132, of Reading, Pa., asking the passage of a Chinese-exclusion law of permanent duration—to the Committee on Foreign Affairs.

By Mr. GRIFFITH: Petition of citizens of Adams, Decatur County, Ind., in support of an amendment to the Constitution for the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, resolution of Chapter Brown Post, No. 106, Grand Army of the Republic, of Valparaiso, Ind., in support of House bill No. 7533, granting land to soldiers—to the Committee on the Public Lands.

Also, papers to accompany House bill 10741, granting an increase of pension to Joseph F. Andrews—to the Committee on Invalid Pensions.

By Mr. HASKINS: Memorial of Garment Workers' Union No. 32, of Brattleboro, Vt., favoring reenactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, memorial of Reformed Presbyterian Church, of West Barnet, Vt., against reenactment of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, memorial of Garment Workers' Union No. 32, of Brattleboro, Vt., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

By Mr. HEMENWAY: Petition of Laborers' Protective Union No. 7120, of Evansville, Ind., advocating the construction of war vessels in United States navy-yards—to the Committee on Naval Affairs.

By Mr. KNAPP: Papers to accompany House bill 11797, for the relief of Joseph D. Grinnell—to the Committee on Invalid Pensions.

Also, resolutions of Iron Molders' Union No. 78, of Watertown, N. Y., and G. W. Flower Post, No. 306, Theresa, N. Y., Grand Army of the Republic, favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

By Mr. LANHAM: Resolution of Sunset Lodge, No. 177, Brotherhood of Locomotive Firemen, of Marshall, Tex., in support of Senate bill 1118 and House bill 1060, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. LIVINGSTON: Petition of Edward Crusselle, heir at law of Thomas G. W. Crusselle, late of Atlanta, Ga., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. LOUD: Resolution of the San Francisco Chamber of Commerce relative to the metric system of weights and measures—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON: Petition of John C. Arnold Post, No. 407, Grand Army of the Republic, Department of Pennsylvania, for investigation of the administration of the Bureau of Pensions—to the Committee on Rules.

By Mr. McANDREWS: Resolution of Boot and Shoe Workers' Union No. 94, Chicago, Ill., favoring restriction of undesirable immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Lake Seamen's Union, Chicago, Ill., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

By Mr. McCALL: Petition of Committee of Council and Cooperation, representing 5,000 women of the State of Massachusetts, declaring against legalized vice in this country—to the Committee on the Judiciary.

By Mr. MINOR: Resolutions of Lake Seamen's Union, Chicago, Ill., and Marine Council of the Port of Milwaukee, Wis., protesting against the passage of House bill 9685—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Federated Trades Council of Greenbay, Wis., and Harrison Post, No. 91, Grand Army of the Republic, of Depere, Wis., for the building of war vessels in United States navy-yards—to the Committee on Naval Affairs.

Also, resolution of Marine Council of Milwaukee, Wis., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Marine Council of Milwaukee, Wis.; Cigar Makers' Union No. 162, of Greenbay, Wis., and Marine Engineers' Association of Sturgeon Bay, Wis., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. MOODY of Massachusetts: Letter of National Woman's Christian Temperance Union, by Mrs. Margaret Dye Ellis,

relating to matters in the Philippines—to the Committee on Insular Affairs.

By Mr. MOON: Papers of Pleasant Hixon to accompany House bill 1244, for the relief of Julia M. Onland—to the Committee on War Claims.

By Mr. MORRELL: Papers to accompany House bill 11450, relating to the correction of the military record of Bryan Healey—to the Committee on Military Affairs.

By Mr. MUTCHLER: Papers to accompany House bill to correct the military record of Patrick O'Connor—to the Committee on Military Affairs.

Also, resolutions of Cigar Makers' Union No. 466, of Easton, Pa., favoring reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. NAPHEN: Resolutions of the Atlantic Coast and Seamen's Union, of Boston, Mass., in favor of the seamen's clause in House bill 9330, relating to the exclusion of Chinese from competition with American workers—to the Committee on Foreign Affairs.

By Mr. OTEY: Resolutions of Carpenters and Joiners' Union No. 319, and Old Hickory Lodge, No. 168, of Roanoke, Va., favoring the continuation of the exclusion law against Chinese laborers—to the Committee on Foreign Affairs.

Also, resolution of Carpenters' Union No. 319, of Roanoke, Va., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. OVERSTREET: Papers to accompany House bill 11781, to appropriate money to pay the claim of the Indiana State board of agriculture—to the Committee on War Claims.

By Mr. PALMER: Resolutions of Brewery Workmen's Union No. 163, of Wilkesbarre, Pa., and Union No. 33, of Pittston, Pa., in regard to immigration and the exclusion of cheap labor from Europe—to the Committee on Immigration and Naturalization.

By Mr. PATTERSON of Pennsylvania: Resolutions of Union No. 340, of Pottsville, Pa., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Mine Workers' Union No. 1687, of Seek, Pa., in favor of Chinese exclusion from the United States and our insular possessions—to the Committee on Foreign Affairs.

Also, resolutions of Allison Brothers Post, No. 144, Grand Army of the Republic, Department of Pennsylvania, for the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. RAY of New York: Resolution of Logan Post, Grand Army of the Republic, of Stamford, N. Y., favoring the construction of war vessels in Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Watertown Division, No. 227, Brotherhood of Locomotive Engineers, of Indianapolis, Ind., favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolution of Order of Railway Conductors, No. 154, Binghamton, N. Y., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Order of Railway Conductors, No. 154, of Binghamton, N. Y., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill 11785, for the relief of B. F. Ludwig—to the Committee on Claims.

Also, papers to accompany House bill 11783, granting an increase of pension to Charles M. Montgomery—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Boiler Makers, Summit City Lodge, Union No. 54, of Fort Wayne, Ind., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of Fort Wayne (Ind.) Division, No. 12, Brotherhood of Locomotive Engineers, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Nebraska: Papers to accompany House bill granting a pension to John W. Genung—to the Committee on Invalid Pensions.

By Mr. RUMPLE: Resolutions of Muscatine Typographical Union, No. 251, of Muscatine, Iowa, urging the reclamation of arid lands and the construction of certain reservoirs—to the Committee on Irrigation of Arid Lands.

Also, resolutions by same organization, favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions by same organization, favoring an educational test for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Petition of Iron Ore Handlers' Union No. 111,

Marine Firemen's Union, and Shovelers' Union No. 110, all of Buffalo, N. Y., favoring the construction of naval vessels at the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Lake Seamen's Union of Buffalo, N. Y., in opposition to the change of name of the United States Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Resolutions of Cigar Makers' Union No. 7, of Utica, N. Y., favoring the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of Elkhart Chapter, Division 248, and Indianapolis Division No. 11, Brotherhood of Locomotive Engineers, favoring bill to limit the power of Federal courts in granting injunctions in trade disputes—to the Committee on the Judiciary.

Also, resolutions of Cement Workers' Union No. 40, and Journeymen Bakers' Union No. 100, of Utica, N. Y., and Iron Molders' Union No. 246, of Frankfort, N. Y., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SHACKLEFORD: Resolutions of Carpenters' Union No. 945, of Jefferson, Mo., relative to the construction of vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. SPERRY: Resolutions of Typographical Union No. 47, of New Haven, Conn., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 47, of New Haven, Conn., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STARK: Papers to accompany House bill for the erection of a public building in the city of York, Nebr., consisting of a map of York County, a map of the city of York, a list of business houses in the city of York, manufacturing plants, wholesale houses, professional men, colleges, churches, public utilities, societies and clubs, train service, post-office business, and statement of buildings constructed during the last year, all furnished by the Commercial Club, York, Nebr., and letter of Hon. C. A. McCloud, mayor—to the Committee on Public Buildings and Grounds.

Also, papers to accompany House bill 9653, granting an increase of pension to James L. McGee, of Beatrice, Nebr.; also, papers to accompany House bill 10769, granting an increase of pension to Cyrus Payne—to the Committee on Invalid Pensions.

By Mr. STEELE: Resolution of Carpenters' Union No. 160, of Gas City, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. THOMAS of North Carolina: Paper to accompany House bill for the relief of the heirs of Jonathan Hawkins—to the Committee on War Claims.

By Mr. VREELAND: Two petitions of citizens of Jamestown, N. Y., favoring the adoption of an antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, resolution of Carpenters' Union No. 546, of Olean, N. Y., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Leather Workers' Union of Olean, N. Y., and Street Railway Employees' Union of Jamestown, N. Y., in favor of the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. WADSWORTH: Resolutions of Typographical Union No. 233, of Niagara Falls, N. Y., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Typographical Union No. 233, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Power City Lodge, Union No. 316, of Niagara Falls, N. Y., and of Retail Clerks' Union No. 489, of North Tonawanda, N. Y., favoring the building of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. WILCOX: Resolutions of the Republican party of Territory of Hawaii, disapproving any attempt to restrict the franchise of the natives of the islands—to the Committee on the Territories.

By Mr. WILLIAMS of Illinois: Resolutions of Rhoads Post, No. 58, of New Haven, Ill., Grand Army of the Republic, favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

Also, paper to accompany House bill 11794, granting an increase of pension to John M. Stevens—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 11795, for the relief of Martin V. Dial—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Resolutions of Southern Tier Division, No. 10, Railway Conductors of America, favoring exclusion of undesirable immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Swarts Post, No. 72, and Lieutenant H. C. Titman Post, No. 93, Grand Army of the Republic, Department of Pennsylvania, relative to the construction of vessels in Government navy-yards—to the Committee on Naval Affairs.

By Mr. YOUNG: Petition of Lydia B. Paxon and 5 others of Philadelphia, in relation to certain immoralities prevailing in the Philippines—to the Committee on Insular Affairs.

SENATE.

TUESDAY, February 25, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of yesterday.

Mr. STEWART. I ask unanimous consent that the further reading of the Journal be dispensed with.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that the further reading of the Journal be dispensed with. Is there objection?

Mr. TURNER and Mr. DUBOIS. I object.

The PRESIDENT pro tempore. Objection is made, and the reading will proceed.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

DEATH OF REPRESENTATIVE CRUMP.

Mr. McMILLAN. Mr. President, I ask the Chair to lay before the Senate the resolutions from the House of Representatives in relation to the death of Hon. ROUSSEAU O. CRUMP, my late colleague in that body.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions of the House of Representatives, as follows:

IN THE HOUSE OF REPRESENTATIVES, February 21, 1902.

Resolved, That the House of Representatives has heard with profound sorrow of the death of Hon. ROUSSEAU O. CRUMP, late a Representative from the State of Michigan.

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. McMILLAN. Mr. President, I offer the resolutions which I send to the desk, and ask unanimous consent for their immediate consideration.

The PRESIDENT pro tempore. The resolutions will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. ROUSSEAU O. CRUMP, late a Representative from the State of Michigan.

Resolved, That as an additional mark of respect to the memory of the deceased the Senate do now adjourn.

The resolutions were unanimously agreed to; and, under the second resolution, the Senate (at 12 o'clock and 12 minutes p. m.) adjourned until to-morrow, Wednesday, February 26, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 25, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

PROPERTY TAKEN BY UNITED STATES FORCES.

Mr. SIMS. Mr. Speaker, I ask leave that House bill 2659, being a bill for the relief of parties for property taken from them by military forces of the United States, lie on the table, a similar bill from the Senate having been passed by the House.

The SPEAKER. The gentleman from Tennessee asks that House bill 2659 lie on the table, a similar bill from the Senate having been passed by the House. This order will be made, if there be no objection.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. BREAZEALE, indefinitely, on account of sickness in family.

To Mr. VANDIVER, indefinitely, on account of important business.

To Mr. BOWERSOCK, for one week, on account of important business.

DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of appropriation bills, especially the one I shall call the consular and diplomatic appropriation bill.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the